

EPA Region 5 Records Ctr.



261573

INSPECTION REPORT  
FOR  
PAXTON LANDFILLS I AND II  
Chicago, IL  
ILD069498186  
R05-8303-01F

June 23, 1986

## **SITE INSPECTION MEMO**

**1**

## **2070 - 13 FORM**

**2**

## **SITE MAPS**

**3**

## **SITE PHOTOGRAPHS**

**4**

## **ATTACHMENTS**

**5**





## ecology and environment, inc.

111 WEST JACKSON BLVD., CHICAGO, ILLINOIS 60604, TEL. 312-663-9415

International Specialists in the Environment

### M E M O R A N D U M

DATE: June 23, 1986  
TO: File  
FROM: Cynthia Pugh CR  
SUBJECT: Illinois/R05-8303-01F/IL0030  
Chicago/Paxton I and Paxton II  
ILD069498186

Paxton Landfills I and II are located in a highly industrialized area of Chicago. Paxton I has been inactive since 1976, while Paxton II is currently in operation. The landfills are located adjacent to each other.

This site was originally identified by the Illinois Environmental Protection Agency in the form of a Preliminary Assessment Report submitted to the U.S. EPA. Ecology and Environment/FIT performed an inspection at the site and sampled two monitoring wells on 4-13-82. A follow-up inspection was conducted by FIT on 5-9-86. No sampling occurred during this inspection, but visual observations of the site were made and an interview with site representatives was conducted.

Paxton I is approximately 47.5 acres in size and was operated from 1971-1976. The landfill accepted general municipal refuse and some industrial liquid wastes and sludges authorized by Illinois Special Waste Permits (IEPA).

The Illinois Environmental Protection Agency - DLPC Authorization Reports show that special wastes listed as hazardous and non-hazardous were accepted at the Paxton I site. Many of the wastes that were accepted at Paxton I that are listed as non-hazardous contain constituents that may be considered hazardous if in sufficient concentrations. Refer to Attachment A for a list of special wastes accepted at the site.

Landfilling operations at Paxton I basically consisted of the trenching method, not on a trench by trench permitting basis but by a cut and fill linear method. Trenches were approximately 150 feet in width and 40 feet or less in depth. Liners were formed by going down to the hardest clay layers and by damming up the perimeter to form clay walls that would keep water out.

Several monitoring wells are located on the Paxton I site. Some of these wells are located in the fill areas while others are outside. Most of the site is now covered, but ponding occurs in some areas according to site representatives.

IEPA inspections conducted in 1974, 1975, and 1976, at the Paxton I landfill noted inadequate daily and intermediate cover, ponding on-site, spreading and compacting downhill, and waste being pushed into standing liquids at the bottom of trenches. An IEPA inspection conducted in May, 1975, indicated that liquids contained in a trench were being pumped off-site. Other inspections noted that leachate was present on-site (8-29-80) and that more final cover was needed (3/80).

File information also indicates that the site accepted some liquid, sludge, and hazardous wastes without the proper permits and operated in an unpermitted area. According to IEPA inspections, these operations were occurring outside and west of areas authorized by Paxton from 4/76 to 7/78. This area is now known as Paxton II.

IEPA inspections at the unpermitted Paxton II site in 1976, noted daily, interim, and final cover violations and operations in unauthorized trenches. Disposal of unauthorized liquid wastes was also noted at the unpermitted site from 1976-1978.

An operating permit was submitted for the Paxton II landfill in January of 1977. The Paxton site closed temporarily before the permit was issued. In September of 1978, the permit was granted, and operations began in authorized areas.

Paxton II contains 52 acres of fill area and consists of Parcels I, II, and III. Trench divisions of Parcels I and III are indicated on site map 3 which is attached. Parcel II was "undeveloped but included in the developmental permit of July, 1978" according to an IEPA report dated 3-3-80. This parcel is ten acres in size, and according to information obtained from Paxton's Operations Manager, the western five acres of Parcel II have been sold, and the eastern five acres remain unused.

Paxton II accepted Illinois Hazardous (Special) Waste until November of 1980. The special waste was disposed of through trench by trench permitting and was accepted by trenches A, A1, and B as these were the only trenches operating at that time. Trench A is approximately twenty-five feet deep, and Trench B is thirty-five feet deep.

Acceptance of this hazardous special waste ceased in the fall of 1980, as it was decided that the site would not be a hazardous waste facility under RCRA. After 1980, special wastes listed as non-hazardous were accepted in Parcels I and III. According to IEPA - DLPC Authorization Reports, many of these accepted wastes listed as non-hazardous contain constituents that may be considered hazardous if in sufficient concentrations. Refer to Attachment A for a list of special wastes accepted at the site.

According to site representatives, only trash is accepted at the site now. Parcels I and III currently remain active. Some of the trenches are located directly above old Paxton trenches and are constructed with new caps and walls.

Each of the cells at Paxton II are double-lined with a certified clay wall. A certified clay cut-off wall also exists around the entire Paxton II landfill including the old trenches. It is unknown if the earlier trenches were certified.

Several monitoring wells are located on the Paxton II site. The recent quarterly sampling reports dated 2-20-86, show that some of the monitoring wells at Paxton II contain phenols. Well G13S at Paxton I was found to contain 3460 ug/l phenols.

As the groundwater flow direction in the region of the site may vary, it is not known whether or not the landfills are causing or contributing to the contamination. Landfill operations are thought to have occurred as early as the 1930's in the Paxton I area according to file information. There is no background data on groundwater prior to these operations.

Approximately eight homes within the three mile site radius obtain drinking water from domestic wells which draw from the interconnected sand and gravel/bedrock aquifer. The previously mentioned monitoring wells which were sampled are not located in this aquifer. It is unknown if the clay beneath the site would prevent downward migration of contamination. Surface water within the three mile radius is not used as a source of drinking water, but it is used for recreational purposes.

The Paxton I site surrounds the LHL #2 landfill. Paxton I goes around this landfill but does not go over it. LHL #1 is located southeast of Paxton I, and another landfill is located south of the Paxton site.

At one time Paxton II applied for a RCRA Part A permit to develop an incinerator and distillation column for hazardous wastes. These devices were never constructed, and the RCRA Part A application was withdrawn. According to Gladis Watts - U.S. EPA, both Paxton I and II have applied for RCRA Parts A and B but have never received interim status or had the Part B application approved.

11H1M



Attachment A - Partial List of Waste Generators/Types/Quantities for  
Wastes Accepted at Paxton I and Paxton II Landfills

Source: IEPA-DLPC Files: Authorization Reports (2-23-85)

## Information from IEPA- DLPC Files ① Authorization Reports (2-23-85)

- The following wastes allegedly contain 1 or more of the following metals:  
(CN, As, Cd, Cu, Ni, Se, Ag, Ba, Cr, Hg, Pb, Zn)

Authorization #	Page #	Generator Name	Waste Type	Quantity (Gallons)
781836	2219	Northern Petrochemical	API Sludge	67,505
781843	2225	No Name Listed	Tank Wash	10,000
782235	2594	Masury Columbia Corp.	Vessel and Line Wash	75,097
782237	2596	Stepan Co.	Tank and Line Rinse Water	31,394
782238	2597	Union Special Corp.	Alkaline Wash Water	10,000
782247	2602	Dutch Boy Paints	Latex Wash Water	3,000
782250	2605	Agri-Chain Products, Inc.	Lube Oil and Water Rinse	18,201
782389	2732	Northern Petrochemical Co.	Spent Caustic	685,796
782392	2734	No Name Listed	Admix. of Paint Solids	101,300
790024	3025	Acme Barrel Co.	Composite Sludge	107,666
790241	3204	FMC Corp.	Lime Waste Water	5,000
790604	3478	U.S. Reduction Corp.	Aluminum Process Slag	30,300
790605	3479	U.S. Reduction Corp.	Alumin Milling Dust	55,325,174
790730	3591	Meyer Drum Inc.	Drum Cleaning Waste Oil & Sludge	3,030



## Information from IEPA- DLPC Files Authorization Reports (2-23-85)

- The following wastes allegedly contain 1 or more of the following metals:  
(CN, As, Cd, Cu, Ni, Se, Ag, Ba, Cr, Hg, Pb, Zn)

Authorization #	Page #	Generator Name	Waste Type	Quantity (Gallons)
781356	1800	Dombowski & Holmes, Inc.	Car Wash Sludge	106,150
781496	1926	Siggnode Corp. - Supply	Water & Oil Waste	686,400
781588	2009	Union Tank Car Co.	Paint Overspray Oil & Water	73,885
781614	2033	Beaver Oil and Sludge Removal	Oil water Paint Soap Solvent	447,060
780230	1028	Standard T Chem. Co.	Water/caustic Cleaning waste	56,700
781680	2091	Dynagel	Rendering Sludge	16,160
782151	2517	Roberts and Porter	Waste Ink & Solvents	1,570
782235	2594	Masury-Columbia Corp.	Vessel and Line Wash	131,612
782237	2596	Stepan Co.	Tank and Line Rinse Water	627,766
782238	2597	Union Special Corp.	Alkaline Wash Water	9,100
782246	2601	Best Foods	Food Tank Rinse Water	153,428
782248	2603	Gen. Paint & Chem. Co.	Latex Wash Water	13,400
782249	2604	Gould Inc.	Alkaline Plate Rinse	21,000
782250	2605	Agri-Chain Products	Lube Oil & Water Rinse	154,067

## Information from IEPA - DLPC Files Authorization Reports (2-23-85)

- The following wastes allegedly contain 1 or more of the following metals:  
(CN, As, Cd, Cu, Ni, Se, Ag, Ba, Cr, Hg, Pb, Zn)

Authorization #	Page #	Generator Name	Waste Type	Quantity (Gallons)
782251	2606	Allis Chalmers Corp.	Lube Oil & Water	1,331,982
782283	2634	Container Corp. of America	Fats Oils Gr Star Wat Base Ink	19,000
782389	2732	Northern Petrochemical Co.	Spent Caustic	330,482
790010	3013	Stanadyne Inc.	Metal Working Sludge	9,700
790024	3025	Acme Barrel	Composite Sludge	77,164
790241	3204	FMC Corp.	Lime Waste Water	25,500
790242	3205	FMC Corp.	Oily Waste Water	160,800
790418	3329	Horween Leather Co.	Tanning & Finishing waste	954,854
790605	3479	U.S. Reduction Corp.	Alumin Milling Dust	94,258,654
790730	3591	Meyer Drum	Drum Cleaning Waste & Oil Sludge	72,518
790830	3683	Permacor Inc.	Synthetic Coolant	13,700
791183	3980	Allis Chalmers	Mill Grindings Sludge	14,800
791969	4362	Huck Leather	Grease Waste	434,000
792475	4711	Gutmann & Co.	Centrifuge Cake	103,020

## Information from IEPA- DLPC Files

### Authorization Reports (2-23-85)

- The following wastes allegedly contain 1 or more of the following metals:  
(CN, As, Cd, Cu, Ni, Se, Ag, Ba, Cr, Hg, Pb, Zn)

Authorization #	Page #	Generator Name	Waste Type	Quantity (Gallons)
792767	4980	Shaped Wire Inc.	Waste Coolant	16,800
800517	5817	Valspar Corp.	Waste Paint & Water	4,620
800780	6048	National Controls	Oil 4000 Soldering Oil	486
800784	6051	National Can	Plastisol Lining Materials	7,205
800819	6085	Sealmaster Bearings	Water & Oil	235,000
801118	6353	H B Fuller Co.	Epoxy Resins System	7,433
801151	6384	Fox Valley Mfg.	Paint Sludge	4,840
801230	6455	No Name Listed	Waste Water Oil & Tank Bottoms	9,000
801296	6503	Consolidated Container	Drum Drainage	32,488
801458	6649	No Name Listed	Waste Water Process Sludge (wwT)	22,624
801786	6876	DeSoto Inc.	Solid Resin Dump	4,830
802111	7171	Cosden Oil & Chem Co.	Polystyrene	3,898,398
802362	7390	Chemplex Co.	Plexar Waste	2,860
802404	7428	Cosden Oil & Chem Co.	Polystyrene Bead Waste	160,792

## Information from IEPA - DLPC Files Authorization Reports (2-23-85)

- The following wastes allegedly contain 1 or more of the following metals:  
(CN, As, Cd, Cu, Ni, Se, Ag, Ba, Cr, Hg, Pb, Zn)

Authorization #	Page #	Generator Name	Waste Type	Quantity (Gallons)
802443	7462	Trent Tube	Doping Waste	2,585
802624	7618	Union Carbide	Coal Residue	21,614
803138	7989	Thompson Steel Co.	Waste Coolant	142,600
811161	9257	Acme Printing Ink	Ink & Water Rinse	51,500
811162	9258	Masury - Columbia Corp.	Vessel & Line Wash	428,550
811351	9441	St. Regis Corp. - Prod. Div.	Latex Water Base w/ Ammonia	1,320
811395	9482	R. Lavin & Sons Inc.	Baghouse Dust & Refra	1,410,970
811420	9507	Acme Barrel	Comp. Paint Sludge	633,068
811422	9509	McLean Trucking Co.	Waste Water & Oil	6,000
811534	9621	Regal Tube Co.	Rust Protection Oil	2,375
811719	9806	A H Ross & Sons Co.	Tanning & Finishing Sludge	31,310
811917	3	Vanderbyden Septic Service	Catch Basin Grease Sludge	91,400
812031	117	Niles Petroleum Products	Tank Bottoms	6,000
812032	118	Griffith Petroleum	Tank Water & Sludge Bottoms	8,500

# Information from IEPA - DLPC Files

## Authorization Reports (2-23-85)

- The following wastes allegedly contain 1 or more of the following metals:  
(CN, As, Cd, Cu, Ni, Se, Ag, Ba, Cr, Hg, Pb, Zn)

Authorization #	Page #	Generator Name	Waste Type	Quantity (Gallons)
812258	343	American Can Co.	Petrolatum	2,530
812286	357	Ajax Tool Works Inc.	Coolant	4,000
812287	358	Union Carbide Corp.	Polymer-Water Emul Latex Waste	71,293
812289	360	American Metal Decor. Co.	Water Ink Cleaning Agent	15,575
812572	634	Silbrico Corp.	Pearlite Sodium Potassium Alum (Insulation)	555,500
812629	690	Land-O-Frost	Grease & Water	83,200
812701	760	Container Corp. of America	WWT Sludge	26,860
812891	947	Avon Products Inc.	Diatomaceous Earth (WWT Filtr.)	871,832
812915	971	Allis Chalmers Corp.	Dewatered Degreaser	73,518
813021	1077	Mead Containers	Water Soluble Ink	24,770
820001	1111	Ajax Adhesives Industr.	Waste Adhesive	23,400
820141	1250	Packaging Corp. of America	Flexo Ink Sludge	8,410
820200	1307	Barber-Greene Co.	Paint Sludge & Water	8,800
820201	1308	Agri-Chain Products	Chain Prod. Water Rinse Cleaner	231,000



## Information from IEPA - DLPC Files Authorization Reports (2-23-85)

- The following wastes allegedly contain 1 or more of the following metals:  
(CN, As, Cd, Cu, Ni, Se, Ag, Ba, Cr, Hg, Pb, Zn)

Authorization #	Page #	Generator Name	Waste Type	Quantity (Gallons)
820444	1549	Fotofabrication Corp.	Etching Sludge	26,755
820562	1666	Porter Waters Service, Inc.	Grease Trap + Catch Basin Waste	83,050
820563	1667	Certainteed Corp.	Oil + Waste Sludge	48,700
820702	1805	Livco Trailer Leasing	Oil Sludge & Tank Car Wash Waste	25,200
820908	2009	Litton Precision Indsts	Coolant Water	27,400
821293	10400	Southland Corp. Chem. Div.	Tall Oil Slop	10,400
821294	2361	A H Ross + Sons Co.	Tanning + Finishing Sludge	69,690
821611	2672	Horween Leather Co.	Tanning + Finishing Sludge	1,441,270
822129	3183	Residue Recycling Resources	Black Slag	4,130,092
822349	3391	Huch Leather	Grease Waste	18,000
830378	4447	Nagle Pumps Inc.	Spray Booth Water Sludge	350
830379	4448	Hendrickson Mfg. Co.	Waste Coolant	2,000
830543	4608	FMC Corp.	Water Base Coolant	130,000
830544	4609	FMC Corp.	Lime Soda Waste Water	94,000

Information from IEPA - DLPC Files  
Authorization Reports (2-23-85)

- The following wastes allegedly contain 1 or more of the following metals:  
(CN, As, Cd, Cu, Ni, Se, Ag, Ba, Cr, Hg, Pb, Zn)

Authorization #	Page #	Generator Name	Waste Type	Quantity (Gallons)
830583	4645	Guernsey - Dell, Inc.	Separator Food Waste Sludge	65,700
830634	4689	Standard T Chem. Co.	Resin Process Waste (Pond Clean-Up)	10,000
830783	4836	Chemplex Co.	Plexar Waste	110
830840	4891	Acme Finishing	Paint Booth Sludge	2,640
830842	4893	Gearmaster Div. - Emerson Electric	Cutting Oil Composite	605
830843	4894	Gearmaster Div. - Emerson Electric	Coolant Composite	1,045
830844	4895	Gearmaster Div. - Emerson Electric	Grease Composite	495
830866	4914	Maclean - Fogg	Coolant Oil & Water	1,500
830867	4915	Maclean	Coolant Water & Oil	52,300
830901	4947	National Can Corp.	Oil Water Coolant Waste	3,000
830902	4948	Taylith, Inc.	Lime Waste	29,694
830956	4999	P.I.E.	Waste Water & Dirt	2,750
830994	5035	Borg - Warner Corp.	Water & Oil Waste	59,000
831112	5148	USI Industries	Water & Oil Waste	6,000

## Information from IEPA- DLPC Files

Authorization Reports (2-23-85)

- The following wastes allegedly contain 1 or more of the following metals:  
(CN, As, Cd, Cu, Ni, Se, Ag, Ba, Cr, Hg, Pb, Zn)

[illegible]





POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION REPORT  
PART 1 - SITE LOCATION AND INSPECTION INFORMATION

I. IDENTIFICATION

01 STATE 02 SITE NUMBER  
IL 0069498186

II. SITE NAME AND LOCATION

01 SITE NAME (Legal, common, or descriptive name of site) Paxton I and II  
02 STREET, ROUTE NO., OR SPECIFIC LOCATION IDENTIFIER 116<sup>th</sup> and Paxton Avenue  
03 CITY Chicago  
04 STATE IL 05 ZIP CODE 60617 06 COUNTY Cook  
07 COUNTY CODE 031 08 CONG DIST 02  
09 COORDINATES  
LATITUDE 41° 41' 15.0" LONGITUDE 087° 34' 35.0"  
10 TYPE OF OWNERSHIP (Check one)  
☒ A. PRIVATE ☐ B. FEDERAL ☐ C. STATE ☐ D. COUNTY ☐ E. MUNICIPAL  
☐ F. OTHER ☐ G. UNKNOWN

III. INSPECTION INFORMATION

01 DATE OF INSPECTION 5.9.86  
MONTH DAY YEAR  
02 SITE STATUS  
☒ ACTIVE ☐ INACTIVE  
03 YEARS OF OPERATION Paxton I 1971-1976  
Paxton II 1971-1976  
UNKNOWN  
Paxton II: Currently active  
BEGINNING YEAR ENDING YEAR

04 AGENCY PERFORMING INSPECTION (Check all that apply)

☐ A. EPA ☒ B. EPA CONTRACTOR Ecology and Environment, Inc. (Name of firm)  
☐ C. MUNICIPAL ☐ D. MUNICIPAL CONTRACTOR (Name of firm)  
☐ E. STATE ☐ F. STATE CONTRACTOR (Name of firm) ☐ G. OTHER (Specify)

05 CHIEF INSPECTOR	06 TITLE	07 ORGANIZATION	08 TELEPHONE NO.
Cynthia Pugh	Environmental Scientist	E+E, Inc.	(312) 663-9415
09 OTHER INSPECTORS	10 TITLE	11 ORGANIZATION	12 TELEPHONE NO.
David Curnock	Biologist / Agronomist	E+E, Inc.	(312) 663-9415
Ruth-Ann Jacquette	Environmental Scientist	E+E, Inc.	(312) 663-9415
			( )
			( )
			( )

13 SITE REPRESENTATIVES INTERVIEWED	14 TITLE	15 ADDRESS	16 TELEPHONE NO.
Dan Smith	Operations Manager	Paxton Landfill - Stryker International, Inc.	(312) 785-1800
		391 E. Kensington Ave.	( )
		Chi., IL, 60628	( )
Jack Thorsen	Environmental Engineer	Roy F. Weston, Inc.	(312) 295-6020
			( )

17 ACCESS GAINED BY (Check one)  
☒ PERMISSION ☐ WARRANT  
18 TIME OF INSPECTION 10:00  
19 WEATHER CONDITIONS ~ 70° F, Sunny, clear

IV. INFORMATION AVAILABLE FROM

01 CONTACT Cliff Gould	02 OF (Agency/Organization) Illinois EPA	03 TELEPHONE NO. (312) 1345-9780
04 PERSON RESPONSIBLE FOR SITE INSPECTION FORM Cynthia Pugh	05 AGENCY —	06 ORGANIZATION E+E, Inc.
	07 TELEPHONE NO. (312) 663-9415	08 DATE 6.23.86 MONTH DAY YEAR



POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION REPORT

PART 3 - DESCRIPTION OF HAZARDOUS CONDITIONS AND INCIDENTS

I. IDENTIFICATION

01 STATE IL 02 SITE NUMBER D 069498186

HAZARDOUS CONDITIONS AND INCIDENTS

01 ☒ A GROUNDWATER CONTAMINATION  
03 POPULATION POTENTIALLY AFFECTED ~ 31

02 ☒ OBSERVED (DATE 11-16-78) ☐ POTENTIAL ☐ ALLEGED  
04 NARRATIVE DESCRIPTION 2-20-86

Phenols were detected in on-site monitoring wells ranging in depth from 12-27'. The monitoring wells are not located in the sand and gravel / bedrock aquifer. As the site is located in a highly industrialized area, and the direction of ground water flow may vary, it is unknown if the site is causing or contributing to the contamination.

01 ☒ B SURFACE WATER CONTAMINATION  
03 POPULATION POTENTIALLY AFFECTED 111,931

02 ☐ OBSERVED (DATE ) ☒ POTENTIAL ☐ ALLEGED  
04 NARRATIVE DESCRIPTION

Surface water within the site area is not used for drinking but is used for recreation. Run-off from the site discharges into drainage ditches. The surficial sand layer within the region of the site appears to be hydraulically connected to Lake Calumet and the Calumet River.

01 ☐ C CONTAMINATION OF AIR  
03 POPULATION POTENTIALLY AFFECTED

02 ☐ OBSERVED (DATE ) ☐ POTENTIAL ☐ ALLEGED  
04 NARRATIVE DESCRIPTION

None observed or documented

01 ☐ D FIRE/EXPLOSIVE CONDITIONS  
03 POPULATION POTENTIALLY AFFECTED

02 ☐ OBSERVED (DATE ) ☐ POTENTIAL ☐ ALLEGED  
04 NARRATIVE DESCRIPTION

None observed or documented - The site does not have a methane collection system, but one is in planning as part of the Site Closure Plan.

01 ☒ E DIRECT CONTACT  
03 POPULATION POTENTIALLY AFFECTED 68

02 ☐ OBSERVED (DATE ) ☒ POTENTIAL ☐ ALLEGED  
04 NARRATIVE DESCRIPTION

A potential for direct contact with the population and waste materials on-site may have existed in the past. The site currently has restricted vehicle access and is patrolled 24 hours/day.

01 ☒ F CONTAMINATION OF SOIL  
03 AREA POTENTIALLY AFFECTED ~ 99.5 (ACRES)

02 ☐ OBSERVED (DATE ) ☒ POTENTIAL ☐ ALLEGED  
04 NARRATIVE DESCRIPTION

As wastes containing hazardous constituents have allegedly been disposed of on-site, a potential for soil contamination exists. Also, Refer to A and B above.

01 ☒ G DRINKING WATER CONTAMINATION  
03 POPULATION POTENTIALLY AFFECTED ~ 31

02 ☐ OBSERVED (DATE ) ☒ POTENTIAL ☐ ALLEGED  
04 NARRATIVE DESCRIPTION

No surface water intakes are located within a 3 mile site radius. There are 8 homes within the site area that obtain drinking water from domestic wells that draw from the sand and gravel / bedrock aquifer. It is unknown if the clay beneath the site acts as a barrier for contamination into this aquifer as some sand, silt, and gravel seams exist within the clay layer.

01 ☒ H WORKER EXPOSURE/INJURY  
03 WORKERS POTENTIALLY AFFECTED ~ 20 (currently)

02 ☐ OBSERVED (DATE ) ☒ POTENTIAL ☐ ALLEGED  
04 NARRATIVE DESCRIPTION

Paxton I is inactive, and most of the site area is covered. A potential may still exist for workers to come into contact with alleged hazardous wastes. Workers could possibly come into contact with potentially contaminated leachate or soil on-site, however, there is no documentation of worker exposure/injury from the site. Paxton II is still active.

01 ☒ I POPULATION EXPOSURE/INJURY  
03 POPULATION POTENTIALLY AFFECTED 111,931

02 ☐ OBSERVED (DATE ) ☒ POTENTIAL ☐ ALLEGED  
04 NARRATIVE DESCRIPTION

REFER to B, E, F, G, and H Above





POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION REPORT

PART 3 - DESCRIPTION OF HAZARDOUS CONDITIONS AND INCIDENTS

I. IDENTIFICATION

01 STATE 02 SITE NUMBER  
IL D069498186

II. HAZARDOUS CONDITIONS AND INCIDENTS (Continued)

01 ☐ J. DAMAGE TO FLORA  
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: \_\_\_\_\_)

☐ POTENTIAL

☐ ALLEGED

None observed or likely as the site is located in a highly industrialized area

01 ☐ K. DAMAGE TO FAUNA  
04 NARRATIVE DESCRIPTION (Include name(s) of species)

02 ☐ OBSERVED (DATE: \_\_\_\_\_)

☐ POTENTIAL

☐ ALLEGED

None observed or likely as the site is located in a highly industrialized area

01 ☐ L. CONTAMINATION OF FOOD CHAIN  
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: \_\_\_\_\_)

☐ POTENTIAL

☐ ALLEGED

None observed or likely as the site is located in a highly industrialized area

01 ☐ M. UNSTABLE CONTAINMENT OF WASTES  
(Spills/Runoff/ Standing liquids, Leaking drums)

02 ☐ OBSERVED (DATE: \_\_\_\_\_)

☒ POTENTIAL

☐ ALLEGED

03 POPULATION POTENTIALLY AFFECTED: 111,931

04 NARRATIVE DESCRIPTION Also, REFER to A

A potential for unstable containment of wastes exists as hazardous wastes were allegedly disposed of on-site. Legchatz was observed at Paxton I in 1980, according to IEPA file information.

01 ☐ N. DAMAGE TO OFFSITE PROPERTY  
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: \_\_\_\_\_)

☐ POTENTIAL

☐ ALLEGED

No documentation of damage to off-site property. Letters dated 4-28-77 and 7-18-78, stated that water was being pumped off-site from Paxton site onto property being developed by another company.

01 ☐ O. CONTAMINATION OF SEWERS, STORM DRAINS, WWTPs  
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: \_\_\_\_\_)

☐ POTENTIAL

☐ ALLEGED

No documented instances of contamination to sewers, storm drains, or WWTPs

01 ☐ P. ILLEGAL/UNAUTHORIZED DUMPING  
04 NARRATIVE DESCRIPTION

02 ☐ OBSERVED (DATE: \_\_\_\_\_)

☐ POTENTIAL

☒ ALLEGED

The site is currently patrolled 24 hrs./day and vehicle access is restricted. On 7-24-78, the IEPA closed the site down for failure to operate in accordance with permits.

05 DESCRIPTION OF ANY OTHER KNOWN, POTENTIAL, OR ALLEGED HAZARDS

Unknown

III. TOTAL POPULATION POTENTIALLY AFFECTED: 111,931

IV. COMMENTS

NONE

V. SOURCES OF INFORMATION (Cite specific references, e.g., State files, sample analysis reports)

- IEPA File Info.
- Site Inspection/Interview on 5-9-86 with Dan Smith (Paxton) and Jack Thorsen
- E&E, Inc. File Info.





POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION  
PART 4 - PERMIT AND DESCRIPTIVE INFORMATION

I. IDENTIFICATION

D1 STATE **IL** D2 SITE NUMBER **D069498186**

II. PERMIT INFORMATION

D1 TYPE OF PERMIT ISSUED (Check all that apply)	D2 PERMIT NUMBER	D3 DATE ISSUED	D4 EXPIRATION DATE	D5 COMMENTS
<input type="checkbox"/> A NPDES	NA	NA	NA	
<input type="checkbox"/> B UIC				
<input type="checkbox"/> C AIR				
<input type="checkbox"/> D RCRA				
<input type="checkbox"/> E RCRA INTERIM STATUS				
<input type="checkbox"/> F SPCC PLAN				
<input checked="" type="checkbox"/> G STATE (Specify) <b>(IEPA)</b>	Operating Permits	open-ended		Paxton II - Active
<input checked="" type="checkbox"/> H LOCAL (Specify) <b>(Chicago)</b>	City OPERATING PERMITS	Unknown		Paxton I - Inactive
<input type="checkbox"/> I OTHER (Specify)				
<input type="checkbox"/> J NONE	NA			

III. SITE DESCRIPTION

D1 STORAGE/DISPOSAL (Check all that apply)	D2 AMOUNT	D3 UNIT OF MEASURE	D4 TREATMENT (Check all that apply)	D5 OTHER
<input type="checkbox"/> A. SURFACE IMPOUNDMENT			<input checked="" type="checkbox"/> A. INCINERATION <b>NA</b>	<input checked="" type="checkbox"/> A. BUILDINGS ON SITE
<input type="checkbox"/> B. PILES			<input type="checkbox"/> B. UNDERGROUND INJECTION	<b>2 + trailers</b>
<input type="checkbox"/> C. DRUMS, ABOVE GROUND			<input type="checkbox"/> C. CHEMICAL/PHYSICAL	D6 AREA OF SITE
<input type="checkbox"/> D. TANK, ABOVE GROUND			<input type="checkbox"/> D. BIOLOGICAL	Paxton I =
<input type="checkbox"/> E. TANK, BELOW GROUND			<input type="checkbox"/> E. WASTE OIL PROCESSING	<b>47.5</b> (Acres)
<input checked="" type="checkbox"/> F. LANDFILL	<b>See Attachment A</b>		<input type="checkbox"/> F. SOLVENT RECOVERY	Paxton II =
<input type="checkbox"/> G. LANDFARM			<input type="checkbox"/> G. OTHER RECYCLING/RECOVERY	<b>52</b> (Acres)
<input type="checkbox"/> H. OPEN DUMP			<input type="checkbox"/> H. OTHER (Specify)	
<input type="checkbox"/> I. OTHER (Specify)				

D7 COMMENTS Paxton I closed in 1976. The average amount of clay cover on Paxton I = ~5'. Some areas were covered with even larger amounts of soil from trenches that were being dug for the next fill areas. Most of Paxton I is covered, however, ponding occurs in some areas. Liners were formed by going down to the hardest clay bottom and damming up the perimeter at the Paxton I site.

IV. CONTAINMENT

D1 CONTAINMENT OF WASTES (Check one)

☐ A. ADEQUATE, SECURE ☒ B. MODERATE ☐ C. INADEQUATE, POOR ☐ D. INSECURE, UNSOUND, DANGEROUS

D2 DESCRIPTION OF DRUMS, DIKING, LINERS, BARRIERS, ETC.

Each of the cells at Paxton II are double-lined with a certified clay wall. A certified clay cut-off wall also exists around the entire Paxton II landfill including the old trenches. It is unknown if the earlier trenches were certified. One-half of the south end of Paxton II was not certified before the site was

V. ACCESSIBILITY

D1 WASTE EASILY ACCESSIBLE ☐ YES ☒ NO

D2 COMMENTS

See Comments Above. purchased by Stryker.  
The site is not completely fenced, but it is patrolled 24 hrs./day. Vehicle access is restricted.

VI. SOURCES OF INFORMATION (Cite specific references, e.g. state files, sample analysis reports)

- IEPA File Info.
- Site Inspection/Interview on 5-9-86 with Dan Smith (Paxton) and Jack Thorsen
- E & E, Inc. File Info.



POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION REPORT  
PART 5 - WATER, DEMOGRAPHIC, AND ENVIRONMENTAL DATA

I. IDENTIFICATION

01 STATE IL 02 SITE NUMBER 0069498186

II. DRINKING WATER SUPPLY

01 TYPE OF DRINKING SUPPLY  
(Check as applicable)

SURFACE WELL  
COMMUNITY A. ☒ B. ☐  
NON-COMMUNITY C. ☐ D. ☒

02 STATUS

ENDANGERED AFFECTED MONITORED  
A. ☐ B. ☐ C. ☐  
D. ☒ E. ☐ F. ☐

03 DISTANCE TO SITE

A. >3 (mi)  
B. 2.7 (mi)

III. GROUNDWATER

01 GROUNDWATER USE IN VICINITY (Check one)

☐ A. ONLY SOURCE FOR DRINKING ☒ B. DRINKING  
(Other sources available)  
COMMERCIAL, INDUSTRIAL, IRRIGATION  
(No other water sources available)  
☐ C. COMMERCIAL, INDUSTRIAL, IRRIGATION  
(Limited other sources available)  
☐ D. NOT USED, UNUSEABLE

02 POPULATION SERVED BY GROUND WATER ~31

03 DISTANCE TO NEAREST DRINKING WATER WELL 2.7 (mi)

04 DEPTH TO GROUNDWATER

3-8 (ft)

05 DIRECTION OF GROUNDWATER FLOW

Variable

06 DEPTH TO AQUIFER  
OF CONCERN

~45+ (ft)

07 POTENTIAL YIELD  
OF AQUIFER

25,000 (gpd)

08 SOLE SOURCE AQUIFER

☒ YES ☐ NO

09 DESCRIPTION OF WELLS (including usage, depth, and location relative to population and buildings)

The glacial drift and silurian dolomite aquifers are interconnected and are used as sources of drinking water for ~8 residences within the site's 3 mile radius. Industrial wells draw from the Cambrian-Ordovician sandstone which is a deeper aquifer and is confined from the shallow aquifer. Depth to bedrock varies in the area.

10 RECHARGE AREA

☒ YES COMMENTS Recharge to shallow aquifers occurs through seepage and precipitation.  
☐ NO

11 DISCHARGE AREA

☐ YES COMMENTS Unknown  
☐ NO

IV. SURFACE WATER

01 SURFACE WATER USE (Check one)

☒ A. RESERVOIR, RECREATION  
DRINKING WATER SOURCE ☐ B. IRRIGATION, ECONOMICALLY  
IMPORTANT RESOURCES ☐ C. COMMERCIAL, INDUSTRIAL ☐ D. NOT CURRENTLY USED

02 AFFECTED/POTENTIALLY AFFECTED BODIES OF WATER

NAME:

Lake Calumet  
Calumet River  
Little Calumet River

AFFECTED

DISTANCE TO SITE

☐ .15 (mi)  
☐ .61 (mi)  
☐ 1.1 (mi)

V. DEMOGRAPHIC AND PROPERTY INFORMATION

01 TOTAL POPULATION WITHIN

ONE (1) MILE OF SITE

A. 68  
NO OF PERSONS

TWO (2) MILES OF SITE

B. 12,363  
NO OF PERSONS

THREE (3) MILES OF SITE

C. 111,931  
NO OF PERSONS

02 DISTANCE TO NEAREST POPULATION

.02 (mi)

03 NUMBER OF BUILDINGS WITHIN TWO (2) MILES OF SITE

300

04 DISTANCE TO NEAREST OFF-SITE BUILDING

.02 (mi)

05 POPULATION WITHIN VICINITY OF SITE (Provide narrative description of nature of population within vicinity of site, e.g., rural, village, densely populated urban area)

The site is located in a heavily industrialized area of Chicago. The most densely populated areas exist within the 2-3 mile site radii.



POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION REPORT  
PART 5 - WATER, DEMOGRAPHIC, AND ENVIRONMENTAL DATA

I. IDENTIFICATION

01 STATE IL 02 SITE NUMBER 0069498186

VI. ENVIRONMENTAL INFORMATION

01 PERMEABILITY OF UNSATURATED ZONE (Check one)

☒ A  $10^{-6} - 10^{-8}$  cm/sec ☐ B  $10^{-4} - 10^{-6}$  cm/sec ☐ C  $10^{-4} - 10^{-3}$  cm/sec ☐ D GREATER THAN  $10^{-3}$  cm/sec

02 PERMEABILITY OF BEDROCK (Check one)

☐ A IMPERMEABLE (Less than  $10^{-6}$  cm/sec) ☐ B RELATIVELY IMPERMEABLE ( $10^{-4} - 10^{-6}$  cm/sec) ☒ C RELATIVELY PERMEABLE ( $10^{-2} - 10^{-4}$  cm/sec) ☐ D VERY PERMEABLE (Greater than  $10^{-2}$  cm/sec)

03 DEPTH TO BEDROCK

~45-90 (ft)

04 DEPTH OF CONTAMINATED SOIL ZONE

Unknown (ft)

05 SOIL pH

Unknown

06 NET PRECIPITATION

3.75 (in)

07 ONE YEAR 24 HOUR RAINFALL

2.43 (in)

08 SLOPE

0 %

DIRECTION OF SITE SLOPE

—

TERRAIN AVERAGE SLOPE

0 %

09 FLOOD POTENTIAL

SITE IS IN Unknown YEAR FLOODPLAIN

NA

☐ SITE IS ON BARRIER ISLAND, COASTAL HIGH HAZARD AREA, RIVERINE FLOODWAY

11 DISTANCE TO WETLANDS (5 acre minimum)

ESTUARINE

A >3 (mi)

OTHER

B (Adjacent) 0 (mi)

12 DISTANCE TO CRITICAL HABITAT (of endangered species)

>3 (mi)

ENDANGERED SPECIES: NA

13 LAND USE IN VICINITY

DISTANCE TO

COMMERCIAL/INDUSTRIAL

A (Adjacent) 0 (mi)

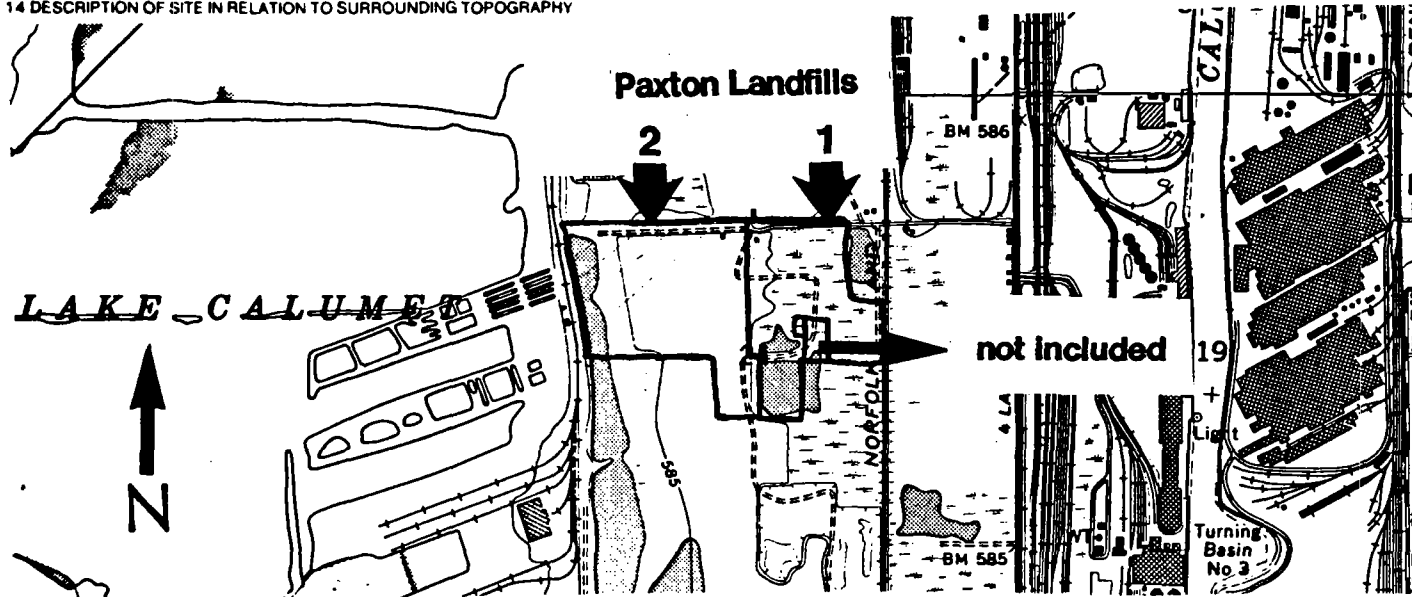
RESIDENTIAL AREAS NATIONAL/STATE PARKS,  
FORESTS, OR WILDLIFE RESERVES

B .02 (mi)

AGRICULTURAL LANDS  
PRIME AG LAND AG LAND

C >3 (mi) D >3 (mi)

14 DESCRIPTION OF SITE IN RELATION TO SURROUNDING TOPOGRAPHY



VII. SOURCES OF INFORMATION (Cite specific references, e.g., state files, sample analysis, reports)

- EdE, Inc. File Info.
- USGS 7.5 min. topographic maps Lake Calumet Quad, 1963, P.R. 1975 Blue Island, 1963, P.R. 1973, 1978
- Climatic Atlas of the U.S., U.S. Dept. of Commerce, 1979
- Summary of Geology in the Chi. Area, USGS, 1971
- 1980 IL Census of Population - U.S. Dept. of Commerce
- US Fish and Wildlife / Dept. of Interior - Info.



POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION REPORT  
PART 6 - SAMPLE AND FIELD INFORMATION

I. IDENTIFICATION

01 STATE IL 02 SITE NUMBER D 069498186

II. SAMPLES TAKEN

SAMPLE TYPE	01 NUMBER OF SAMPLES TAKEN	02 SAMPLES SENT TO	03 ESTIMATED DATE RESULTS AVAILABLE
GROUNDWATER	NONE	No Samples Taken by FIT During	NA
SURFACE WATER		5-9-86 Site Inspection	
WASTE			
AIR			
RUNOFF			
SPILL			
SOIL			
VEGETATION			
OTHER			

III. FIELD MEASUREMENTS TAKEN

01 TYPE	02 COMMENTS
NA	NONE

IV. PHOTOGRAPHS AND MAPS

01 TYPE <input checked="" type="checkbox"/> GROUND <input type="checkbox"/> AERIAL	02 IN CUSTODY OF <u>E &amp; E, Inc. Files</u> <small>(Name of organization or individual)</small>
03 MAPS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	04 LOCATION OF MAPS <u>U.S. G.S. Topographic Maps / Site Maps - E &amp; E, Inc. Files</u>

V. OTHER FIELD DATA COLLECTED (Provide narrative description)

NONE

VI. SOURCES OF INFORMATION (Cite specific references, e.g., state files, sample analysis, reports)

E & E, Inc. File Information



POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION REPORT  
PART B - OPERATOR INFORMATION

I. IDENTIFICATION

01 STATE 02 SITE NUMBER  
IL D069498186

II. CURRENT OPERATOR (Provide # different from owner)

OPERATOR'S PARENT COMPANY (If applicable)

01 NAME - PAXTON II - Same as Owner • PAXTON I - Inactive		02 D+B NUMBER		10 NAME NONE		11 D+B NUMBER	
03 STREET ADDRESS (P.O. Box, RFD #, etc.)		04 SIC CODE		12 STREET ADDRESS (P.O. Box, RFD #, etc.)		13 SIC CODE	
05 CITY		06 STATE	07 ZIP CODE	14 CITY		15 STATE	16 ZIP CODE
08 YEARS OF OPERATION		09 NAME OF OWNER					

III. PREVIOUS OPERATOR(S) (List most recent first, provide only # different from owner)

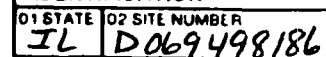
PREVIOUS OPERATORS' PARENT COMPANIES (If applicable)

01 NAME Paxton Corp. - Clarence Reynolds		02 D+B NUMBER Unknown		10 NAME Unknown		11 D+B NUMBER	
03 STREET ADDRESS (P.O. Box, RFD #, etc.) Unknown		04 SIC CODE		12 STREET ADDRESS (P.O. Box, RFD #, etc.)		13 SIC CODE	
05 CITY ↓		06 STATE Unknown	07 ZIP CODE ↓	14 CITY		15 STATE	16 ZIP CODE
08 YEARS OF OPERATION Unknown		09 NAME OF OWNER DURING THIS PERIOD Paxton Corp.					
01 NAME Paxton Corp. - Ray Nudi		02 D+B NUMBER Unknown		10 NAME		11 D+B NUMBER	
03 STREET ADDRESS (P.O. Box, RFD #, etc.) Unknown		04 SIC CODE		12 STREET ADDRESS (P.O. Box, RFD #, etc.)		13 SIC CODE	
05 CITY ↓		06 STATE Unknown	07 ZIP CODE ↓	14 CITY		15 STATE	16 ZIP CODE
08 YEARS OF OPERATION Unknown		09 NAME OF OWNER DURING THIS PERIOD Paxton Corp.					
• The site may have also been operated by other parties		02 D+B NUMBER		10 NAME		11 D+B NUMBER	
		04 SIC CODE		12 STREET ADDRESS (P.O. Box, RFD #, etc.)		13 SIC CODE	
		07 ZIP CODE		14 CITY		15 STATE	16 ZIP CODE
08 YEARS OF OPERATION		09 NAME OF OWNER DURING THIS PERIOD					

IV. SOURCES OF INFORMATION (Cite specific references, e.g., state files, sample analysis, reports)

NOTE: According to file information, Steve Martell was also allegedly either an owner, operator, or designated agent of Paxton II at one time. It is unknown if he is currently associated with the site.

- IEPA File Info.
- E&E, Inc. File Info.
- Site Inspection / Interview on 5-9-86 with Dan Smith (Paxton) & Jack Thorsen



- IEPA File Info.
- E+E, Inc. File Info.
- Site Inspection / Interview on 5-9-86 with Dan Smith (Paxton) and Jack Thorsen



POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION REPORT  
PART 9 - GENERATOR/TRANSPORTER INFORMATION

I. IDENTIFICATION

01 STATE 02 SITE NUMBER  
IL D069498186

II. ON-SITE GENERATOR

01 NAME NONE	02 D+B NUMBER
03 STREET ADDRESS (P.O. Box, RFD #, etc.)	04 SIC CODE
05 CITY	06 STATE 07 ZIP CODE

III. OFF-SITE GENERATOR(S)

01 NAME See Attachment A	02 D+B NUMBER	01 NAME	02 D+B NUMBER
03 STREET ADDRESS (P.O. Box, RFD #, etc.)	04 SIC CODE	03 STREET ADDRESS (P.O. Box, RFD #, etc.)	04 SIC CODE
05 CITY	06 STATE 07 ZIP CODE	05 CITY	06 STATE 07 ZIP CODE
01 NAME	02 D+B NUMBER	01 NAME	02 D+B NUMBER
03 STREET ADDRESS (P.O. Box, RFD #, etc.)	04 SIC CODE	03 STREET ADDRESS (P.O. Box, RFD #, etc.)	04 SIC CODE
05 CITY	06 STATE 07 ZIP CODE	05 CITY	06 STATE 07 ZIP CODE

IV. TRANSPORTER(S)

01 NAME Various Transporters	02 D+B NUMBER	01 NAME Scrap Haulers Liquid Div.	02 D+B NUMBER Unknown
03 STREET ADDRESS (P.O. Box, RFD #, etc.)	04 SIC CODE	03 STREET ADDRESS (P.O. Box, RFD #, etc.) Unknown	04 SIC CODE ↓
05 CITY	06 STATE 07 ZIP CODE	05 CITY Riverdale	06 STATE IL 07 ZIP CODE ↓
01 NAME Mr. Frank, Inc.	02 D+B NUMBER Unknown	01 NAME	02 D+B NUMBER
03 STREET ADDRESS (P.O. Box, RFD #, etc.) Unknown	04 SIC CODE ↓	03 STREET ADDRESS (P.O. Box, RFD #, etc.)	04 SIC CODE
05 CITY ↓	06 STATE 07 ZIP CODE →	05 CITY	06 STATE 07 ZIP CODE

V. SOURCES OF INFORMATION (Cite specific references, e.g., state files, sample analysis, reports)

- IEPA File Info.  
incl. IEPA - DLPC Authorization Reports
- E4E File Info.
- Site Inspection/Interview on 5-9-86 with Dan Smith (Paxton)  
and Jack Thorsen



POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION REPORT  
PART 10 - PAST RESPONSE ACTIVITIES

I. IDENTIFICATION

01 STATE 02 SITE NUMBER

IL D069498186

PAST RESPONSE ACTIVITIES

01 ☐ A. WATER SUPPLY CLOSED  
04 DESCRIPTION

02 DATE

03 AGENCY

NA

01 ☐ B. TEMPORARY WATER SUPPLY PROVIDED  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ C. PERMANENT WATER SUPPLY PROVIDED  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ D. SPILLED MATERIAL REMOVED  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ E. CONTAMINATED SOIL REMOVED  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ F. WASTE REPACKAGED  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ G. WASTE DISPOSED ELSEWHERE  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ H. ON SITE BURIAL  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ I. IN SITU CHEMICAL TREATMENT  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ J. IN SITU BIOLOGICAL TREATMENT  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ K. IN SITU PHYSICAL TREATMENT  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ L. ENCAPSULATION  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ M. EMERGENCY WASTE TREATMENT  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ N. CUTOFF WALLS  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ O. EMERGENCY DIKING/SURFACE WATER DIVERSION  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ P. CUTOFF TRENCHES/SUMP  
04 DESCRIPTION

02 DATE

03 AGENCY

01 ☐ Q. SUBSURFACE CUTOFF WALL  
04 DESCRIPTION

02 DATE

03 AGENCY







POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION REPORT  
PART 10 - PAST RESPONSE ACTIVITIES

I. IDENTIFICATION

01 STATE 02 SITE NUMBER  
IL D069498186

II. PAST RESPONSE ACTIVITIES (Continued)

01 ☐ R. BARRIER WALLS CONSTRUCTED  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_

NA

01 ☐ S. CAPPING/COVERING  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_

01 ☐ T. BULK TANKAGE REPAIRED  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_

01 ☐ U. GROUT CURTAIN CONSTRUCTED  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_

01 ☐ V. BOTTOM SEALED  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_

01 ☐ W. GAS CONTROL  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_

01 ☐ X. FIRE CONTROL  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_

01 ☐ Y. LEACHATE TREATMENT  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_

01 ☐ Z. AREA EVACUATED  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_

01 ☐ 1. ACCESS TO SITE RESTRICTED  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_

01 ☐ 2. POPULATION RELOCATED  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_

01 ☐ 3. OTHER REMEDIAL ACTIVITIES  
04 DESCRIPTION

02 DATE \_\_\_\_\_ 03 AGENCY \_\_\_\_\_



III. SOURCES OF INFORMATION (Cite specific references, e.g., state files, sample analysis, reports)

• Site Inspection / Interview on 5-9-86 with Dan Smith (Paxton) and Jack Thorsen



POTENTIAL HAZARDOUS WASTE SITE  
SITE INSPECTION REPORT  
PART 11 - ENFORCEMENT INFORMATION

I. IDENTIFICATION

01 STATE 02 SITE NUMBER  
IL D069498/86

II. ENFORCEMENT INFORMATION

01 PAST REGULATORY/ENFORCEMENT ACTION ☒ YES ☐ NO

02 DESCRIPTION OF FEDERAL, STATE, LOCAL REGULATORY/ENFORCEMENT ACTION\*

- Legal Histories of Paxton I and II are Attached -  
( See Attachments B + C )

\* There is no additional information available at this time  
as the site is currently under litigation.

III. SOURCES OF INFORMATION (Cite specific references, e.g., state files, sample analysis, reports)

- IEPA File Info.
- Site Inspection/Interview on 5-9-86 with Dan Smith (Paxton) and Jack Thorson

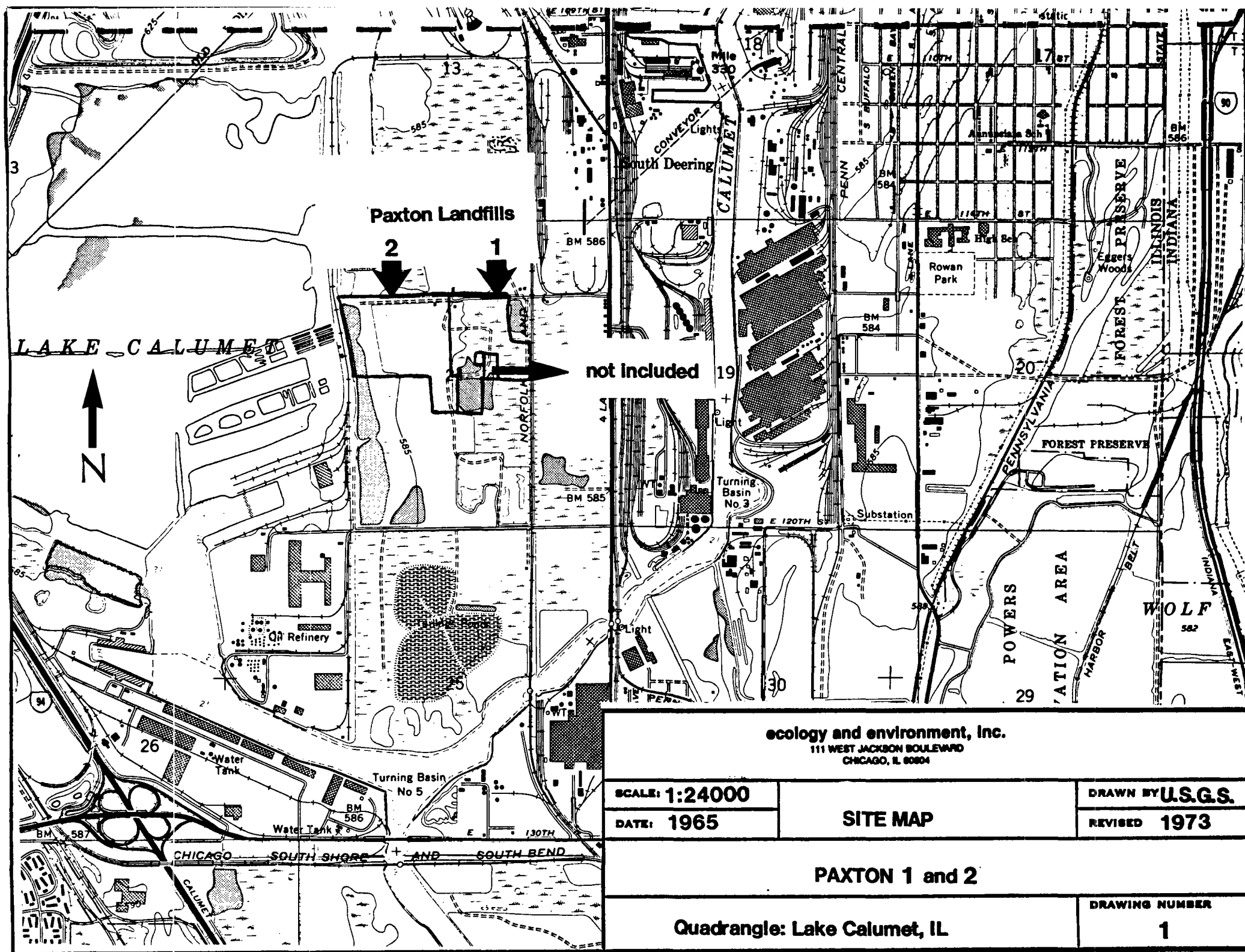
# Immediate Removal Action Check Sheet

	High	Moderate	Low
<b><u>Fire and Explosion Hazard</u></b>			
Flammable Materials <u>Potential</u>			X
Explosives <u>NA</u>			
Incompatible Chemicals <u>Unknown</u>			X
<b><u>Direct Contact with Acutely Toxic Chemicals</u></b>			
Site Security <u>24 HR. PATROL</u>			
Leaking Drums or Tanks <u>NA</u>			
Open Lagoons or pits <u>NA</u>			
Materials on Surface <u>Potential</u>			X
Proximity of Population <u>.02</u>			X
Evidence of Casual Site Use <u>NA</u>			
<b><u>Contaminated Water Supply</u></b>			
Exceeds 10 Day Snarl <u>NA</u>			
Gross Taste or Odors <u>NA</u>			
Alternate Water Available <u>Yes</u>			X
Potential Contamination <u>Yes</u>			X
Is the site abandoned or active? <u>ACTIVE</u>			

Comments Paxton I is inactive and Paxton II is active.

1

3



ecology and environment, Inc.  
111 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604

SCALE: 1:24000

DATE: 1965

SITE MAP

DRAWN BY U.S.G.S.

REVISED 1973

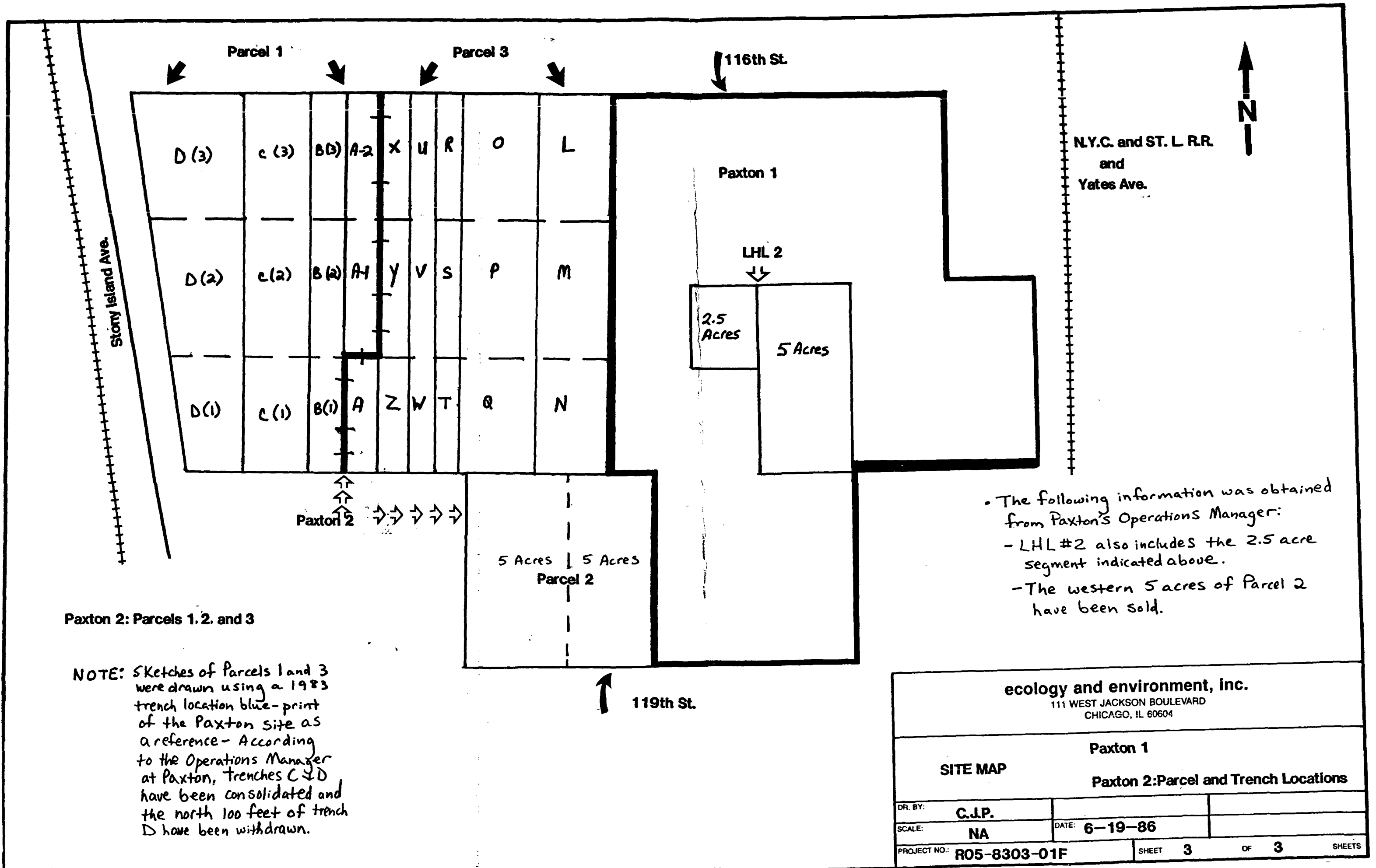
PAXTON 1 and 2

Quadrangle: Lake Calumet, IL

DRAWING NUMBER

1





1

4



DATE 5-9-86TIME 10:50 (A.M.) P.M.DIRECTION: N NNE (NE) ENE  
E ESE SE SSE  
S SSW SW WSW  
W WNW NW NNWWEATHER 70°F, Clear,  
and SunnySITE Paxton I and IITDD# R05-8303-01FPHOTOGRAPHED BY:  
Ruth Ann JacquetteSAMPLE ID# (if applicable)  
NADESCRIPTION: Parcel III of Paxton II Landfill.DATE 5-9-86TIME 10:50 (A.M.) P.M.DIRECTION: N NNE NE ENE  
E ESE SE SSE  
S SSW SW WSW  
W WNW (NW) NNWWEATHER 70°F, Clear  
and SunnySITE Paxton I and IITDD# R05PHOTOGRAPHED BY:  
Ruth Ann JacquetteSAMPLE ID# (if applicable)  
NADESCRIPTION: Parcel II of Paxton II Landfill.



## FIELD PHOTOGRAPHY LOG SHEET

Page 2DATE 5-9-86TIME 10:55 (A.M.) P.M.DIRECTION: N NNE NE ENE  
E ESE SE SSE  
S SSW SW WSW  
W WNW NW NNWWEATHER 70°F, clear  
and sunnySITE Paxton I and IITDD# R05-8303-01FPHOTOGRAPHED BY:  
Ruth Ann JacquetteSAMPLE ID# (if applicable)  
NADESCRIPTION: Parcel I of Paxton II Landfill.DATE 5-9-86TIME 10:55 A.M. P.M.DIRECTION: N NNE NE ENE  
E ESE SE SSE  
S SSW SW WSW  
W WNW NW NNWWEATHER 70°F, clear  
and sunnySITE Paxton I and IITDD# R05-8303-01FPHOTOGRAPHED BY:  
Ruth Ann JacquetteSAMPLE ID# (if applicable)  
NADESCRIPTION: Parcel I of Paxton II Landfill.



DATE 5-9-86TIME 10:55 (A.M.) P.M.DIRECTION: N NNE NE ENE  
E ESE SE SSE  
S SSW SW WSW  
W WNW NW NNWWEATHER 70° F. Clear,  
and Sunny.SITE Paxton I and IITDD# R05-8303-0FPHOTOGRAPHED BY:  
Ruth Ann JacquetteSAMPLE ID# (if applicable)  
NADESCRIPTION: Parcel I of Paxton II Landfill.DATE 5-9-86TIME 10:58 (A.M.) P.M.DIRECTION: N NNE NE ENE  
E ESE SE SSE  
S SSW SW WSW  
(W) WNW NW NNWWEATHER 70° F. Clear  
Sunny.SITE Paxton I and IITDD# R05-8303-01FPHOTOGRAPHED BY:  
Ruth Ann JacquetteSAMPLE ID# (if applicable)  
NADESCRIPTION: Sewerbox used to form clay walls within  
the landfill.



DATE 5-9-86TIME 11:00 (A.M.) P.M.DIRECTION: (N) NNE NE ENE  
E ESE SE SSE  
S SSW SW WSW  
W WNW NW NNWWEATHER 70° F, Clear  
SunnySITE Paxton I and IITDD# R05-8303-01FPHOTOGRAPHED BY:  
Both Ann JacquetteSAMPLE ID# (if applicable)  
NADESCRIPTION: Off-site propertyDATE 5-9-86TIME 11:00 (A.M.) P.M.DIRECTION: N NNE NE ENE  
E ESE (S) SSE  
S SSW SW WSW  
W WNW NW NNWWEATHER 70° F, Clear, and  
SunnySITE Paxton I and IITDD# R05-8303-01FPHOTOGRAPHED BY:  
Both Ann JacquetteSAMPLE ID# (if applicable)  
NADESCRIPTION: Paxton I Landfill.



DATE 5-9-86TIME 11:00 (A.M.) P.M.DIRECTION: N NNE NE ENE  
E ESE SE SSE  
S SSW SW WSW  
W WNW NW NNWWEATHER 70°F, clear  
and sunnySITE Paxton I and IITDD# R05-8303-0FPHOTOGRAPHED BY:  
Ruth Ann JacquetteSAMPLE ID# (if applicable)  
NADESCRIPTION: Parcel III of Paxton II Landfill.DATE 5-9-86TIME 11:03 (A.M.) P.M.DIRECTION: N NNE NE ENE  
E ESE SE SSE  
S SSW SW WSW  
W WNW NW NNWWEATHER 70°F, clear  
and sunnySITE Paxton I and IITDD# R05-8303-01FPHOTOGRAPHED BY:  
Ruth Ann JacquetteSAMPLE ID# (if applicable)  
NADESCRIPTION: Pond located adjacent to Paxton I Landfill.



FIELD PHOTOGRAPHY LOG SHEET

Page 6

DATE 5-9-86

TIME 11:10 A.M. P.M.

DIRECTION: ☒ N ☐ NNE ☒ NE ☐ ENE  
E ESE SE SSE  
S SSW SW WSW  
W WNW ☒ NW ☐ NNW

WEATHER 70°F, Clear  
And Sunny

SITE Paxton I and II

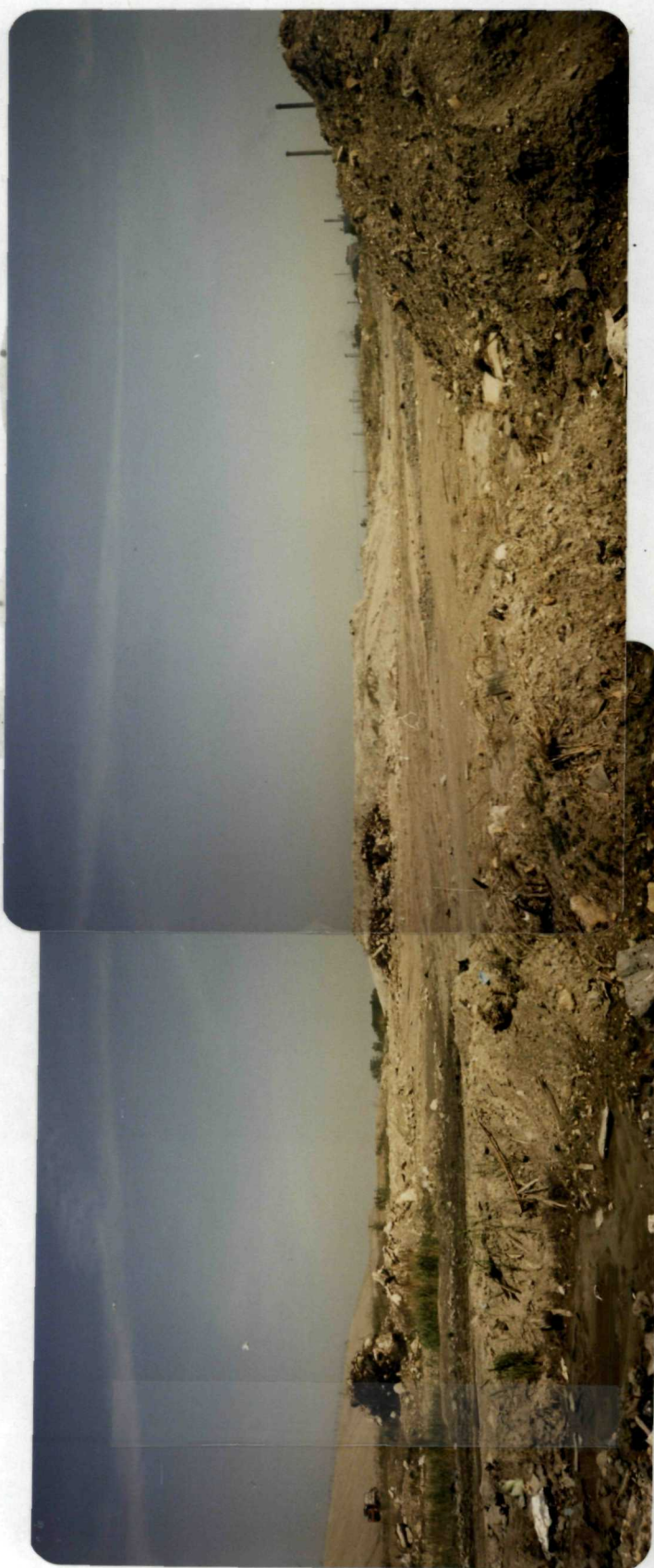
TDD# ROS-8303-01F

PHOTOGRAPHED BY:  
Both Ann Jacquette

SAMPLE ID# (if applicable)  
NA

DESCRIPTION:

Panoramic view NE-N-NW,  
showing L.H.L #2 to the  
far NE, Paxton I Landfill  
to the NE and N, and  
Paxton II landfill to the  
far NW.





FIELD PHOTOGRAPHY LOG SHEET

Page 7

DATE 5-9-86

TIME 11:15 (A.M.) P.M.

DIRECTION: N NNE NE ENE  
① ESE ② SSE  
③ SSW SW WSW  
W WNW NW NNW

WEATHER 70°F, Clear  
and sunny

SITE Paxton I and II

TDD# RO5-8303-01F

PHOTOGRAPHED BY:  
Both Ann Jacquette

SAMPLE ID# (if applicable)  
NA

DESCRIPTION:

Panoramic view E-SE-S,  
showing Paxton I Landfill  
and L.H.L #2.







Attachment B - Information on History of Paxton I

Source: Illinois Environmental Protection Agency File  
Information

## I. DESCRIPTION OF POLLUTION SOURCE

The Paxton Land Fill Corporation owns and operates a refuse disposal facility located west of Torrence Avenue, between 116th and 122nd Streets, in Chicago, Cook County, Illinois. (For relative location, see maps, pages 1 and 2. See also map, page 28.) (For proof of ownership, see 1971 Permit Application, page 7.) The legal description of the site is as follows:

Within the Northeast Quarter of the Northwest Quarter of Section 24 of Township 37 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois. (see page 4.)

The site began operations sometime in late 1970 or early 1971 (see January 22, 1971, letter, page 3, and February 4, 1971, letter, pages 4 and 5). It did not, however, receive a permit to operate until June 23, 1971 (see Permit #1971-23, pages 29 and 30). The total size of the permitted site is 42.5 acres (see page 8). The site accepts garbage and industrial refuse, including liquid wastes. Current Agency estimates are that the site accepts about 2,500 cubic yards of solid waste and about 100,000 gallons of liquids daily (reference: K. Bechely telephone call to site manager on April 21, 1977.) The site is open five and one-half days per week (until about 12:00 noon) on Saturdays.

The Paxton Land Fill Corporation (Paxton) is an Illinois corporation whose president and registered agent is:

Herman Roberts  
12201 S. Oglesby Avenue  
Chicago, Illinois 60633  
(Reference: Certified List of Domestic and Foreign Corporations, 1974.)

A check by telephone (on September 13, 1976) with the Corporations Division of the Office of the Secretary of State revealed that Paxton was incorporated on May 28, 1970. Paxton was in good standing at the time of the check.

## II. AGENCY HISTORY

As noted above, Paxton began operating late in 1970 or early in 1971. The Agency notified Paxton that a permit was necessary on January 22, 1971 (see page 3). An application for permit was received by the Agency on February 26, 1971, and thereafter reviewed (see Application for Permit, pages 6 through 28; note, plan sheets are included as Appendix B). Permit #1971-23 to install and operate a solid waste disposal site was issued by the Agency on June 28, 1971 (see Permit #1971-23, pages 29 and 30). That permit contained, as Special Condition #2, the following:

Any disposal of liquid wastes at this facility will require prior written approval from this Agency. (See page 30).

Early operations at the site were conducted in general compliance with the Environmental Protection Act and the Solid Waste Rules and Regulations (see January 3, 1972, letter, page 31, and Site Survey, page 31a). As will be shown below, however, operations at the site deteriorated thereafter. This deterioration occurred in all aspects of the site's operation. The Agency is concerned about these aspects, of course. However, the Agency is primarily concerned about liquid and hazardous wastes accepted without a permit, wastes accepted and handled in violation of permit conditions and operation in an unpermitted area.

Paxton's dealings with the Agency in regard to acceptance of liquid and/or hazardous wastes began as early as September, 1972 (see correspondence, pages 32 and 33). The Agency informed Paxton generally that liquids could be accepted under supplemental permit and that supplemental permits could be issued if certain specific information were supplied (see September 20, 1972, letter, page 34). Thereafter, certain correspondence transpired between Paxton and the Agency (see pages 35 through 43), which resulted in the issuance of Supplemental Permit #1972-13 on November 3, 1972 (see page 85). Supplemental Permit #1972-13 contained certain conditions precedent before it became operative. Since these conditions were not met within the required time, the Agency believes #1972-13 was never validated and, therefore, is no longer effective. The monitoring system called for in the permit was not approved and installed within 120 days (see June 6, 1973, letter, page 53, and previous correspondences, pages 44 through 52). (Note: Engineering Drawing attached to February 13, 1973, letter is included as Appendix C; Plan Sheet attached to May 21, 1973, letter is included as Appendix D.) In addition, later correspondence shows that background parameter results were not submitted within 30 days as required by the June 6, 1973, letter (see pages 54 through 60). (Note: It may be argued that the Agency's actions may estop it from asserting that this permit (#1972-13) is invalid. However, the Agency informed Paxton that no liquids could be accepted until the conditions were fully met (see March 21, 1973, letter, page 48), and later informed Paxton it believed this permit was probably invalid (see April 14, 1976, letter, pages 134 through 141). Even if Supplemental Permit #1972-13 is considered valid, it must be

limited to specific quantities of liquids from only two generators, Ingersoll Products and Cargill Processing (see page 40). The permit specifically included reference to an October 20, 1972, letter incorporated thereby, which letter excluded wastes from Welded Tube (see page 40).)

Correspondence between Paxton and the Agency continued over the subject of the need for supplemental permits for liquid wastes in July, 1973. At that time, ITT Harper Incorporated was issued a permit to transport liquid sludge to Paxton (see pages 61 and 62). As a Special Condition of that permit, the permittee could not take the sludge to the site until it had the requisite supplemental permit (see page 62). At that time, Paxton did not have such a supplemental permit (see notes, pages 63 and 64), and the Agency informed Paxton of the need for such a permit (see July 30, 1973, letter, page 65, and August 1, 1973, note, page 66). On July 11, 1973, Caterpillar Tractor Company was issued a permit to transport liquid sludge to Paxton or E.S.L. Landfill (see pages 67 and 68). Again the Agency informed Paxton of the need for a supplemental permit (see August 2, 1973, letter, page 69). On October 26, 1973, Teletype Corporation was also issued a permit to transport liquid wastes to Paxton (see pages 70 and 71). Agency surveillance of the site during this period, however, indicates that Paxton was not accepting large quantities of liquid and/or hazardous wastes as it had in the past and would in the future (see October 23, 1973, memo, page 72).

Beginning in April, 1974, Paxton began inquiries to the Agency as to supplemental permits for disposal of the ITT Harper sludge (see letter, page 73). Through an exchange of letters, the Agency informed Paxton of the information required before a supplemental permit could be issued, as well as Paxton's agreement to supply such information and obtain the required permits (see pages 74 through 84).

Since 1974, Paxton has applied for and received fifteen (15) supplemental permits for the disposal of special wastes (i.e., liquid and/or hazardous wastes and sludges (see Inventory of Supplemental Permits, page 86 and April 14, 1976, letter, pages 134 through 141). These permits were issued at different times and with different expiration dates (see Supplemental Permits, pages 88 through 133). All of the permits expired by February 9, 1977 (see Time Log of Supplemental Permits, page 87). By letter dated April 14, 1976, the Agency informed Paxton of numerous problems it had found with relation to Paxton's handling of special wastes, and announced it would no longer issue any supplemental permits for special wastes (see page 135). Paxton responded and admitted the problems and announced that it would start a new program to improve its operations, especially with regard to special wastes (see pages 142 and 143, as well as letter of Paxton's attorney, pages 147 and 148). However, the Agency was not convinced of Paxton's sincerity (see pages 144 and 145). And, as will be shown below, the Agency's distrust was well-founded.

Another area of concern has been Paxton's operation of its sanitary landfill in an unpermitted area. As early as January 16, 1976, the Agency informed Paxton's attorney of the need for a permit for the

new area (see Telephone Conversation Record, page 146). This telephone conversation was, in fact, a follow-up to a January 8, 1976, warning letter (page 203). Sometime early in 1976, Paxton was out of space in their permitted 42.5 acre site. They subsequently merely moved to an adjacent piece of property, owned by it but not permitted by the Agency, and continued their operations there (see inspection memo, page 282). Paxton investigated the need for an additional permit (see letter, pages 147 and 148), and, finding it needed one, asked the Illinois State Geological Survey for its opinion of the new site (see letter, page 149. The attachments to that letter and the Design Study Report are included as Appendix E). Thereafter, the Survey responded by letter (see pages 150 and 151). Further correspondence from Paxton between February and May, 1976, (pages 152, 153 and 154) detailed their progress on finishing a permit application. Beginning in September, 1976, the Agency began warning Paxton in a more serious vein that operations were continuing and a permit had not been issued (see pages 156 through 159). By letter dated October 27, 1976, Paxton's engineers informed the Agency that an application would be filed in about two (2) weeks (see letter, page 160. The attachment to the October 27, 1976, letter is included as Appendix F). The application for permit, however, was not received until January 27, 1977 (see Application for Permit, pages 161 through 162. Attachments including plans and specifications and a Soils Report are included as Appendix G). On February 1, 1977, the Agency denied this application as incomplete (see denial letter, page 183). The application was incomplete because Paxton had not submitted the

land use data required by the Carlson decision. The requisite land use data was submitted on March 11, 1977, and is included as Appendix H. To date no permit to develop the new area has been issued by the Agency, and an operating permit cannot be issued until all development work required is completed.

In addition to the many warnings and notifications mentioned above in this narrative, the Agency has sent numerous warning letters to Paxton. These warning letters detailed the violations noted during inspection visits. During the time in question, the Agency has sent at least fifteen (15) warning letters detailing operational violations (see pages 184 through 208).

### III. VIOLATIONS

The allegations to be included in the Complaint are as follows:

A. That Respondent, Paxton Land Fill Corporation, has caused or allowed the development of any new solid waste management site without a Development Permit issued by the Agency, in violation of Section 21(e) of the Environmental Protection Act (Ill. Rev. Stat., 1975, Ch. 111½, Sec. 1001 et seq.) (Act) and Rule 201 of Chapter 7: Solid Waste Rules and Regulations of the Illinois Pollution Control Board (Chapter 7).

The following evidence substantiates this violation for the corresponding dates:

1. April 23, 1976

a. Inspection report by Robert Wengrow dated April 23, 1976, indicating that Paxton had moved over to the west of the permitted area (see page 282);



b. One (1) photograph taken by Bob Wengrow on April 23, 1976, showing operations in new area and recently excavated trench (page 284), as well as site sketch showing location of photograph (page 283).

2. May 7, 1976

a. Inspection report by Ken Bechely dated May 7, 1976, with notation that present operating trench is being extended north (see page 285).

3. June 29, 1976

a. Inspection memo by Robert Wengrow dated June 29, 1976, indicating operation was extended to second trench of unpermitted area and implying further development work had been done (i.e., cutting of second trench)(see page 291).

4. October 20, 1976

a. Inspection report by Kenneth Bechely dated October 20, 1976, indicating operations were now being conducted in third trench and implying that development work (i.e., excavating of third trench) had occurred (see page 292).

b. Memo by Ken Bechely dated October 26, 1976, detailing visit of October 20, 1976, wherein it was observed that a third trench had apparently been excavated and was in use (see pages 293, 294).

5. January 25, 1977

a. Inspection reported by Kenneth Bechely dated January 25, 1977, indicating that operations were now being conducted in fourth trench of the new, unpermitted area (see page 295). If such operations had moved to the fourth trench, the excavation of that trench would have had to have been accomplished previously.

B. That Respondent, Paxton Land Fill Corporation, has caused or allowed the use or operation of a solid waste management site without an Operating Permit issued by the Agency, in violation of Section 21(e) of the Act and Rule 202(a) of Chapter 7. (Note: Since this violation involves a new area, albeit contiguous to the old, permitted area, a violation of Rule 202(a) and not 202(b), of Chapter 7 has been alleged.)

The following evidence substantiates this violation for the corresponding dates:

1. April 23, 1976

a. Inspection memo by Bob Wengrow dated April 23, 1976, indicating that Paxton had moved over to the west of the permitted area and was operating illegally there (page 282).

2. May 7, 1976

a. Inspection report by Kenneth Bechely dated May 7, 1976, indicating operations were in unpermitted area just west of permitted site (see page 285);

b. Inspection memo by Ken Bechely dated May 7, 1976, detailing interview with Ray Nudi, site supervisor in which Mr. Nudi admitted that operations had extended to an unpermitted area (see page 286);

c. Two (2) photographs taken by Ken Bechely on May 7, 1976, showing deposition of refuse in unpermitted area, and note of K. Bechely's identifying pictures as being outside permitted site boundaries (see page 287 and 287a);

d. Site sketch by Ken Bechely showing location of operations outside boundary of permitted site, as well as location of photos discussed in (3) above (see page 288);

e. Memo by Ken Bechely dated May 10, 1976, explaining inspection of May 7, 1976, in which Mr. Nudi admitted to Bechely that he was conducting his operations in an unpermitted area (see page 289).

3. May 13, 1976

a. Memo of observation by Robert Wengrow dated May 13, 1976, in which operations were observed in unpermitted area (see page 290).

4. June 29, 1976

a. Inspection report by R. A. Wengrow dated June 29, 1976, indicating that operations were now being conducted in the second trench of the new site (see page 291).

5. October 29, 1976

a. Inspection report by K. Bechely dated October 20, 1976, indicating that operations were still continuing in unpermitted area, i.e., in the third trench, and that liquids and solids were being deposited therein (see page 292);

b. Memo by Ken Bechely dated October 26, 1976, of October 20, 1976, visit indicating present operation was being conducted about three trenches west of permitted site boundary on that date (see pages 293 and 294).

6. January 25, 1977

a. Inspection report by Ken Bechely dated January 25, 1977, indicating site's daily operation, including liquid and solid waste disposal, was being conducted in fourth trench of unpermitted area (see page 295);

b. Three (3) photographs taken by Ken Bechely on January 25, 1977, showing liquid wastes being deposited and one (1) photograph showing garbage being dumped, all in the unpermitted area (see pages 296 and 297).

7. January 26, 1977

a. Two (2) photographs taken by Kenneth Bechely on January 26, 1977, showing recently deposited refuse in unpermitted area, and one (1) photograph of liquids being dumped in the new site (see pages 299 and 300).

8. February 7, 1977

a. Inspection report by Kenneth Bechely dated February 7, 1977, indicating operations were being conducted in the fourth trench of the new, unpermitted area (see page 301);

b. One (1) photograph taken by Kenneth Bechely on February 7, 1977, showing liquids being deposited into the fill face of the new site, and one (1) photograph showing recently deposited refuse being pushed down the face of the fourth trench (see page 302);

c. Memo by Ken Bechely dated February 10, 1977, of February 7, 1977, inspection indicating operations conducted in fourth trench west of boundary of unpermitted area (see page 304).

C. That Respondent, Paxton Land Fill Corporation, has caused or allowed operation of a sanitary landfill without having each requirement of this Part (Part III) performed, in violation of Rule 301 of Chapter 7.

The evidence listed below in the other paragraphs of this Violations Section is sufficient to prove this violation as well.

D. That Respondent, Paxton Land Fill Corporation, failed to deposit all refuse into the toe of the fill or the bottom of the trench, in violation of Rule 303(a) of Chapter 7.

The following evidence substantiates the violation for the corresponding dates:

1. October 5, 1973

- a. Inspection memo by Kenneth Bechely dated October 5, 1973, indicating that refuse was not deposited into the toe (see page 209);
- b. One (1) photograph taken by Ken Bechely on October 5, 1973, showing refuse being disposed (page 211).

2. February 4, 1974

- a. Inspection report by Ken Bechely indicating refuse not being deposited at toe (i.e., should be from bottom up) (page 214);
- b. One (1) photograph taken by Ken Bechely (page 216) showing that refuse was not being deposited in the toe.

3. March 11, 1974

- a. Inspection report by Robert Wengrow dated March 11, 1974, indicating refuse was being deposited from 'top down' instead of into bottom (see page 217).

4. April 18, 1974

- a. Inspection report by Ken Bechely dated April 18, 1974, indicating refuse not deposited at bottom (i.e., 'but not uphill') (page 213);
- b. Two (2) photographs taken by Ken Bechely on April 18, 1974 (see page 222) showing that refuse had not been deposited at the toe (first photo) and was not being deposited at the bottom (second photo).

5. May 2, 1974

a. Inspection report dated May 2, 1974, by Rene Van Someren indicating refuse was not being deposited at the bottom (page 223).

6. June 11, 1974

a. One (1) photograph taken by Robert Wengrow on June 11, 1974, showing that refuse had not been deposited at the toe of the slope (page 229).

7. July 2, 1974

a. Inspection report by Ken Bechely dated July 2, 1974, indicating refuse pushed downhill (see page 230);

b. Two (2) photographs taken by Ken Bechely on July 2, 1974 (page 232) showing refuse being deposited at toe of trench and pushed downhill, and site sketch showing location of pictures (page 231).

8. September 4, 1974

a. Inspection report by Robert Wengrow dated September 9, 1974, indicating refuse deposited down slope (page 234).

9. September 16, 1974

a. Inspection report by Ken Bechely dated September 16, 1974, indicating refuse deposited downhill (page 235);

b. Two (2) photographs taken by Ken Bechely on September 16, 1974, indicating refuse deposited downhill (page 237), and site sketch showing location of photographs (page 236).

10. October 1, 1974

a. Inspection report by Robert Wengrow dated October 1, 1974, indicating refuse deposited from top to bottom (page 240).

11. October 16, 1974

a. Inspection report by Kenneth Bechely dated October 16, 1974, indicating refuse not spread and compacted uphill (page 241).

12. January 23, 1975

a. Inspection report by Robert Wengrow dated January 23, 1975, indicating refuse spread and compacted downhill (page 250).

13. February 3, 1975

a. Inspection memo by Rene Van Someren dated February 3, 1975, indicating refuse spread and compacted from top down (page 252).

14. February 6, 1975

a. Inspection report by Robert Wengrow dated February 6, 1975, indicating refuse deposited on top (page 253).

15. April 16, 1975

a. Inspection report by Robert Wengrow dated April 16, 1975, showing refuse had not been deposited at toe of slope (page 254).

16. May 26, 1975

a. Inspection report by Ken Bechely dated May 26, 1975, showing refuse not deposited at toe of slope (page 257).

17. July 29, 1975

a. Inspection report by Kenneth Bechely dated July 29, 1975, indicating refuse not deposited at toe of slope (page 261);

b. One (1) photograph taken by Kenneth Bechely on July 29, 1975, showing refuse being deposited at top (page 262).

18. December 18, 1975

a. Inspection report by Robert Wengrow dated December 18, 1975, showing refuse not deposited at toe (page 266).

19. February 4, 1976

a. Inspection report by Robert Wengrow dated February 4, 1976, with refuse not deposited at toe checked (page 270).

20. February 26, 1976

a. Inspection report by Charles Grigalauskis dated February 26, 1976, showing refuse not deposited at toe of slope (page 274);

b. One (1) photograph taken by Charles Grigalauski on February 26, 1976, showing refuse had not been deposited at toe (page 275).

21. March 8, 1976

a. Inspection report by Robert Wengrow dated March 8, 1976, showing refuse had not been deposited at toe (page 276).

22. March 22, 1976

a. Inspection report by Robert Wengrow dated March 22, 1976, showing violation of "refuse deposited at toe" rule (page 277).

b. One (1) photograph taken by Robert Wengrow on March 22, 1976, showing refuse deposited at top of slope (page 280).

23. April 23, 1976

a. Inspection report by Robert Wengrow dated April 23, 1976, with refuse not deposited at toe checked (page 281);

b. One (1) photograph taken on April 23, 1976, showing that refuse had not been deposited at toe (page 284), and site sketch showing location of photo (page 283).

24. May 7, 1976

a. Inspection report by Ken Bechely dated May 7, 1976, showing refuse not deposited at toe violation checked (page 285);

b. Two (2) photographs taken by Kenneth Bechely on May 7, 1976, showing refuse being deposited at top of trench (page 287) and site sketch indicating location of photos (page 288).

25. October 20, 1976

a. Inspection report by Ken Bechely dated October 20, 1976, indicating refuse was not being deposited at the toe of the slope (page 292).

26. January 25, 1976

a. Inspection report by Ken Bechely dated January 25, 1977, showing refuse was not deposited at toe of slope (page 295);

b. Two (2) photographs taken by Ken Bechely on January 25, 1977, showing that refuse was not being (upper photo) and had not been (lower photo) deposited at the toe of the slope (page 297).

27. January 26, 1977

a. Inspection report by Kenneth Bechely dated January 26, 1977, indicating refuse not deposited at toe of slope (page 298);

b. Three (3) photographs taken by Ken Bechely on January 26, 1977, indicating refuse had not been (first two photos) and was not being (fourth photo) deposited at toe (pages 299, 300).

28. February 7, 1977

a. Inspection report by Ken Bechely dated February 7, 1977, indicating refuse not deposited at toe of slope (page 301);

b. One (1) photograph taken by Ken Bechely on February 7, 1977, showing that refuse had not been deposited at the toe of the slope (page 302).

E. That Respondent, Paxton Land Fill Corporation, failed to spread and compact refuse as rapidly as it is deposited, in violation of Rule 303 (b) of Chapter 7.

The following evidence substantiates the violation for the corresponding dates:

1. July 29, 1975

a. Inspection report by Ken Bechely dated July 29, 1975, indicating inadequate spreading and compacting (page 261).

2. February 4, 1976

a. Inspection report by Robert Wengrow dated February 4, 1976, indicating inadequate spreading and compacting (page 270).

F. That Respondent, Paxton Land Fill Corporation, failed to place a compacted layer of at least six (6) inches of suitable earthen material on all exposed refuse at the end of each day of operation, in violation of Rule 305(a) of Chapter 7 and Sections 21(a) and 21(b) of the Act.

The following evidence substantiates the violation for the corresponding dates:



1. February 4, 1974

a. Inspection report by Kenneth Bechely dated February 4, 1974, indicating material from previous day was exposed and more daily cover was needed (page 214).

2. May 14, 1974

a. Inspection report by Robert Wengrow dated May 14, 1974, indicating inadequate depth of daily cover (page 224).

3. January 23, 1975

a. Inspection report by Robert Wengrow dated January 23, 1975, showing that daily cover was inadequate in depth (i.e., patches exposed north of present working area) (page 250).

4. July 29, 1975

a. Inspection report by Kenneth Bechely dated July 29, 1975, showing inadequate daily cover (page 261).

5. December 18, 1975

a. Inspection report by Robert Wengrow dated December 18, 1975, indicating inadequate depth of daily cover over portion of area (page 266);

b. Two (2) photographs taken by Robert Wengrow on December 18, 1975, showing the inadequate depth of daily cover (page 268), and site sketch showing location of photos (page 267).

6. March 8, 1976

a. Inspection report by Robert Wengrow dated March 8, 1976, showing daily cover was inadequate depth (page 276).

7. March 22, 1976

a. Inspection report by Robert Wengrow dated March 22, 1976, indicating inadequate depth of daily cover (page 277).

8. April 23, 1976

a. Inspection report by Robert Wengrow dated April 23, 1976, indicating inadequate daily cover over portion (page 231).

9. May 7, 1976

a. Inspection report by Kenneth Bechely dated May 7, 1976, indicating daily cover was of inadequate depth over a portion of the area (page 235).

G. That Respondent, Faxton Land Fill Corporation, failed to place a compacted layer of at least twelve (12) inches of suitable material, at the end of each day's operation, in all but the final lift, on all surfaces of the landfill where no additional refuse will be deposited within 60 days, in violation of Rule 305(b) of Chapter 7.

The following evidence substantiates the violation for the corresponding dates:

1. September 4, 1974

a. Inspection report by Robert Wengrow dated September 4, 1974, indicating intermediate cover of inadequate depth (page 234).

2. December 3, 1974

a. Inspection report by Robert Wengrow dated December 3, 1974, indicating inadequate depth of intermediate cover (page 247).

3. January 23, 1975

a. Inspection report by Robert Wengrow dated January 23, 1975, indicating inadequate depth of intermediate cover (i.e., exposed area) (page 250).

4. February 6, 1975

a. Inspection report by Robert Wengrow dated February 6, 1975, indicating intermediate cover of inadequate depth (page 253).

5. April 16, 1975

a. Inspection report by Robert Wengrow dated April 16, 1975, indicating intermediate cover of inadequate depth in portions of required areas (page 254).

6. May 26, 1975

a. Inspection report by Ken Bechely dated May 26, 1975, indicating intermediate cover of inadequate depth in portions of required areas (page 257).

7. July 29, 1975

a. Inspection report by Ken Bechely dated July 29, 1975, indicating inadequate intermediate cover (page 261).

8. March 8, 1976

a. Inspection report by Robert Wengrow dated March 8, 1976, indicating inadequate depth of intermediate cover (page 276).

9. March 22, 1976

a. Inspection report by Robert Wengrow dated March 22, 1976, indicating intermediate cover was of inadequate depth (page 277).

10. April 23, 1976

a. Inspection report by Robert Wengrow dated April 23, 1976, indicating inadequate depth of intermediate cover (page 281).

11. That Respondent, Paxton Land Fill Corporation, failed to place a compacted layer of not less than two (2) feet of suitable material over the entire surface of each portion of the final lift not later than 60 days following the placement of refuse in the final lift, in violation of Rule 305(c) of Chapter 7.

The following evidence substantiates the violation for the corresponding dates:

1. February 4, 1974

a. Inspection report by Kenneth Bechely dated February 4, 1974, indicating that additional areas need added final cover (page 214).

2. March 11, 1974

a. Inspection report by Robert Wengrow dated March 11, 1974, indicating more final cover needed in some area (page 217).

3. May 2, 1974

a. Inspection report by Rene Van Someren dated May 2, 1974, indicating some additional final cover needed on north end (page 223).

4. May 14, 1974

a. Inspection report by Robert Wengrow dated May 14, 1974, indicating inadequate depth of final cover (page 224).

5. June 11, 1974

a. Inspection report by Robert Wengrow dated June 11, 1974, indicating final cover was not of adequate depth (page 227).

6. July 2, 1974

a. Inspection report by Ken Bechely dated July 2, 1974, indicating final cover of inadequate depth (page 230).

7. September 4, 1974

a. Inspection report by Robert Wengrow dated September 4, 1974, indicating inadequate final cover (page 234).

8. March 22, 1976

a. Inspection report by Robert Wengrow dated March 22, 1976, indicating final cover was of inadequate depth in some areas (page 277).

9. April 23, 1976

a. Inspection report by Robert Wengrow dated April 23, 1976, indicating inadequate depth of final cover over the entire required area (page 281).

10. May 7, 1976

a. Inspection report by Ken Bechely dated May 7, 1976, indicating final cover was inadequate in the completed, permitted area (page 285).

11. May 13, 1976

a. Observation visit memo by Bob Wengrow dated May 13, 1976, indicating no progress made in applying final cover to completed area (page 290).

I. That Respondent, Paxton Land Fill Corporation, caused or allowed scavenging operations at its sanitary landfill site, in violation of Rule 308 of Chapter 7.

The following evidence substantiates the violation for the corresponding dates:

1. April 18, 1974

a. Inspection report by Ken Bechely dated April 18, 1974, indicating scavenging by others was observed (page 220).

2. May 2, 1974

a. Inspection report by Rene Van Someren dated May 2, 1974, indicating scavenging by other persons than the operator was observed at the site (page 223).

J. That Respondent, Paxton Land Fill Corporation, accepted hazardous wastes, liquid wastes and sludges at its landfill without having the requisite Agency permit, in violation of Rule 310(b) of Chapter 7.

The following evidence substantiates the violation for the corresponding dates:

1. January 14, 1974

a. Inspection memo by Bob Wengrow dated January 14, 1974, indicating that Interlake oil slurry was being deposited at the site (see page 213).

b. At this time, Paxton did not have any permits to accept liquid wastes, and did not receive a permit to take Interlake plant sludge until July 21, 1975 (see pages 86, 87 and 105 through 108).

2. May 14, 1974

a. Inspection report by R. Wengrow dated May 14, 1974, indicating that liquid wastes were observed in barrels at the site (page 224).

b. One (1) photograph taken by R. Wengrow on May 14, 1974, showing barrels deposited on site (see page 226).

c. During this time, Paxton did not have any supplemental permits to accept liquids (pages 86, 87), and in fact, never was issued a permit to take liquids in barrels (see pages 88 through 133).

3. September 19, 1974

a. Inspection memo by Rene Van Someren dated September 19, 1974, indicating liquids had been deposited in 55 gallon drums (see page 238).

b. See (2)(c) of this Part J.

4. September 25, 1974

a. Memo of inspection by Ken Bechely on September 25, 1974, indicating that two trucks (identified) were dumping liquids at site (page 239).

b. Paxton did not have permits to accept these liquids, and only had one permit for sludge as of this date (see pages 86, 87).

5. January 23, 1975

a. Memo of inspection visit by Robert Wengrow on January 23, 1975, indicating that two identified trucks (Sludge Removal and Universal Liquid Engineering) were observed dumping liquids at site (see page 251), and explaining interview with Ray Nudi, site foreman, in which Nudi said attempt would be made to get required permits.

6. May 26, 1975

a. Inspection report by Ken Bechely dated May 26, 1975, indicating unpermitted liquid wastes were being deposited (page 257).

7. October 10, 1976

a. Inspection report by Kenneth Bechely dated October 26, 1976, indicating site was receiving unpermitted liquid wastes (page 292).

b. Memo (dated October 26, 1976) of October 20, 1976, inspection visit by K. Bechely indicating tremendous volume of liquid waste being deposited that day (see page 293). The memo also indicates that a truck driver punctured a barrel and it began to smoke and fume. The mixture was supposedly oil and water as the driver said. But none of the permits issued to Paxton and in effect at this time were for hazardous liquids (see pages 88 through 133).

c. None of Paxton's effective permits listed Ryder Rental as a hauler or Great Lakes Screw as a generator (pages 293 and 86).

8. January 25, 1977

a. Inspection report by Kenneth Bechely dated January 25, 1977, indicating unpermitted liquid wastes were observed deposited at site (page 295).

b. Two (2) photographs taken by Ken Bechely on January 25, 1977, showing tanker truck depositing liquids (pages 296, 297-bottom pictures on both pages).

9. January 26, 1977

a. Inspection memo by K. Bechely dated January 26, 1977, indicating that unpermitted liquid wastes were observed being dumped at site (page 298).

b. One (1) photograph taken by Ken Bechely on January 26, 1977, showing one truck dumping the unpermitted liquids (page 300).

10. February 7, 1977

a. Inspection report by Kenneth Bechely dated February 7, 1977, indicating that unpermitted liquid wastes were being deposited (page 301).

b. One (1) photograph taken by K. Bechely on February 7, 1977, showing tanker dumping the unpermitted liquids (page 302).

c. Memo dated February 10, 1977, by Kenneth Bechely, of his February 7, 1977, inspection where he copied a bill of lading indicating liquids were deposited at Paxton site under a supplemental permit which had not been issued to Paxton (page 304).

(Note: See also memo of telephone conversation wherein it was learned certain other liquids were apparently deposited at Paxton under another false permit number.)

(Note: See also copies of bills of lading, obtained by Rene Van Someren from the Chicago Department of Environmental Control for liquids deposited at Paxton. At this time, Paxton had only one supplemental permit to accept ITT Harper sludge, and not the liquids from the companies listed (see pages 307 through 313.)

K. That Respondent, Paxton Land Fill Corporation, caused or allowed operation of a sanitary landfill which does not provide fencing, gates or other measures to control access to the site, in violation of Rule 314(c) of Chapter 7.

The following evidence substantiates the violation for the corresponding dates:

1. October 5, 1973

a. Inspection report by Ken Bechely dated October 5, 1973, indicating portable fencing not provided (page 209).

2. January 14, 1974

a. Inspection report by Robert Wengrow dated January 14, 1974, indicating portable fencing not provided although needed (page 212).

b. Inspection memo by Robert Wengrow dated January 14, 1974, indicating site restriction not provided on 116th Street and a site sketch showing where restriction needed (page 213).

3. February 4, 1974

a. Inspection report by Ken Bechely dated February 4, 1974, indicating portable fencing not provided (page 214).

4. March 11, 1974

a. Inspection report by Robert Wengrow dated March 11, 1974, indicating site fencing along 116th Street was not adequate (page 217).

5. April 18, 1974

a. Inspection report by Kenneth Bechely dated April 18, 1974, indicating inadequate site fencing (page 220).

6. July 2, 1974

a. Inspection report by K. Bechely dated July 2, 1974, indicating site fencing was inadequate (page 230).

7. September 4, 1974

a. Inspection report by Robert Wengrow dated September 4, 1974, indicating inadequate site fencing (page 234).

8. October 16, 1974

a. Inspection report by K. Bechely dated October 16, 1974, indicating no fencing around site (page 241).

9. November 22, 1974

a. Inspection report by R. Wengrow dated November 22, 1974, indicating site fencing was not adequate (page 243).

10. December 3, 1974

a. Inspection report by R. Wengrow dated December 3, 1974, indicating inadequate site fencing (page 247).



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Rene Van Someren, Field Operations Section, Manager, Central Region  
(formerly Northern Region), Division of Land/Noise Pollution Control

Robert Wengrow, Field Operations Section, Northern Region, Division  
of Land/Noise Pollution Control

VI. PROPOSED BOARD ORDER

A. A penalty in excess of \$50,000 should be sought for the violations  
above.

B. An Order should be obtained requiring Respondent to cease and  
desist all violations, including operation without a permit and acceptance  
of liquid wastes without the requisite supplemental permits. This may  
mean closing the site until additional, needed developmental work is  
completed.

C. A performance bond in the amount of \$150,000 should be posted  
to guarantee part (c).

11. January 23, 1975

a. Inspection report by Robert Wengrow dated January 23, 1975, indicating north and east sides of site do not have required fencing (page 250).

12. February 6, 1975

a. Inspection report by R. Wengrow dated February 6, 1975, indicating no site fencing on north and east sides (page 253).

13. December 18, 1975

a. Inspection report by Robert Wengrow dated December 18, 1975, indicating inadequate site restriction (page 266).

14. March 8, 1976

a. Inspection report by Robert Wengrow dated March 8, 1976, indicating site supervisor admitted unknown waste dumped by unknown person, an indication of inadequate site restriction (page 276).

L. That Respondent, Paxton Land Fill Corporation, caused or allowed operation of a sanitary landfill which does not provide adequate measures to control dust and vectors, in violation of Rule 314(f) of Chapter 7.

The following evidence substantiates the violation for the corresponding dates:

1. May 26, 1975

a. Inspection report by Kenneth Bechely dated May 26, 1975, indicating that evidence of vectors had been observed (page 257).

2. July 29, 1975

a. Inspection report by Ken Bechely dated July 29, 1975, indicating that evidence of vectors (i.e., flies) had been observed (page 261).

IV. ECONOMIC AND TECHNOLOGIC CONSIDERATIONS

A detailed memo on Section 33(c) considerations will be forwarded shortly.

V. WITNESS LIST

Kenneth Bechely, Field Operations Section, Northern Region, Division of Land/Noise Pollution Control

Attachment C - Legal History Paxton #2 (Information on Paxton I also included)

Source: A Report of the Calumet Disposal Area

Rene Van Someren, Thomas Lentzen-September, 1980

LEGAL HISTORY  
PAXTON #2  
Chart #3

ENFORCEMENT HISTORY

April, 1976	IEPA secured an injunction against Paxton ordering them to discontinue landfill operations on the new area until they obtain the requisite permits.
June 22, 1977	(2) On June 22, 1977, the Environmental Protection Agency filed its Complaint in this enforcement proceeding. The Complaint alleged that Paxton violated the operating standards for solid waste management sites set forth in Chapter 7 of the Pollution Control Board's Rules and Regulations in its operation of both Paxton I and Paxton II. The Complaint also alleged that Paxton II was operated without the necessary development or operating permits, and that Paxton had accepted special wastes at both of its sites without supplemental permits required by Chapter 7. Discovery and lengthy settlement negotiations ensued.
January, 1978	In January, 1978 after negotiations proved fruitless, Paxton sought and obtained an additional continuance from the Board in order to prepare for the hearing in the case.
March, 1978	In March, 1978, the hearing officer assigned to the case resigned and a new hearing officer was appointed. A hearing date was set for June 14.

LEGAL HISTORY  
PAXTON #2  
Chart #3 (cont.)

June 8, 1978	On June 8, Paxton again moved for a continuance, which motion was granted by the hearing officer.
June 19, 1978 No. 78 CH 4079	On June 19, 1978, the Attorney General, at the request of the Illinois Environmental Protection Agency, filed a Complaint and Motion for Temporary Restraining Order in the Circuit Court of Cook County against Paxton. <u>People of the State of Illinois v. Paxton Landfill Corporation and Ray Nudi, No. 78 CH 4079.</u> The Complaint and Motion alleged that Paxton was operating a solid waste management site without the permits required by Section 21 of the Environmental Protection Act and prayed that the Court act to aid the Pollution Control Board's jurisdiction by enjoining Paxton's operation until the Board had had the opportunity to rule in the instant case, or until Paxton had obtained the necessary operating and special waste permits.
July 24, 1978	IEPA obtained a Preliminary Injunction against Paxton closing the facility for forty-five (45) days.

LEGAL HISTORY  
PAXTON #2  
Chart #3 (cont.)

July 25, 1978	On July 25, 1978, the Circuit Court entered a Preliminary Injunction order prohibiting Paxton from conducting any refuse disposal activities at the Paxton I and Paxton II sites until further order of the Court. After Paxton had obtained its operating permit from the Agency, a final Injunction Order was entered in this case, which prohibits Paxton from accepting or disposing of any liquid wastes or sludges at the Paxton I or Paxton II sites unless and until Paxton obtains a supplemental permit for each such waste or sludge from the Agency. This Order was entered without prejudice to the proceedings in the instant Pollution Control Board cases, and the Court retained jurisdiction for the case for the purpose of enforcing its Order.
October 16, 1978	A Permanent Injunction was issued against Paxton ordering them not to accept any more special wastes until supplemental permits were granted.
December 31, 1979 PCB 77-167 and PCB 77-231	<p>Consolidated Stipulation of Facts and Proposal for Settlement Terms of Settlement</p> <p>As a result of their discussions the parties stipulate and agree that the interests of the public and the parties will be best served by the resolution of this proceeding without further litigation under the terms and conditions provided herein. In accordance with the procedures for settlement prescribed by Rule 331 of the Illinois Pollution Control Board Procedural Rules and Regulations, the parties offer this Stipulation of Facts and Proposal for Settlement in the place of a full hearing.</p>

LEGAL HISTORY  
PAXTON #2  
Chart #3 (cont.)

December 31, 1979  
(continued)

The parties hereby stipulate and agree that a settlement of the above entitled enforcement proceeding shall be as set forth below. This proposed settlement is expressly conditioned upon, and effective only with, the Board's approval hereof in all respects. The parties further stipulate that all statements contained herein, including but not limited to all statements of fact, shall be null, void, and of no effect and shall not be used for any purpose, including further litigation, in the event that the Board fails to approve the following terms of settlement in all respects.

The parties, therefore, stipulate and agree to the following terms of settlement:

- A. Paxton shall conduct refuse management and disposal activities at the Paxton I and Paxton II sites, described herein above, only as authorized by, and in compliance with, Chapter 7 of the Pollution Control Board Rules and Regulations and all terms and conditions of permits that the Agency has issued or may issue relating to the Paxton I and Paxton II sites.
- B. The parties propose and recommend that the Board impose a monetary penalty against Paxton in the total amount of \$12,000 to be paid in six installments of \$2,000 each, over a period of two years from the date of the Board's Order adopting this settlement proposal. A payment of \$2,000 shall be due and owed on each of the following dates:

First Payment	Four Months After Entry of Board Order
Second Payment	Eight Months After Entry of Board Order
Third Payment	Twelve Months After Entry of Board Order
Fourth Payment	Sixteen Months After Entry of Board Order
Fifth Payment	Twenty Months After Entry of Board Order
Sixth Payment	Twenty-four Months After Entry of Board Order

LEGAL HISTORY  
PAXTON #2  
Chart #3 (cont.)

December 31, 1979  
(continued)

Paxton's Petition for Variance (PCB No. 77-231) shall be dismissed.

16. This Stipulation of Facts and Settlement Proposal is submitted to the Board for approval under Rule 331 of the Pollution Control Board Procedural Rules as one integral package. All admissions and statements made herein are null and void and of no force and meaning and are not admissible before any judicial or administrative body within the State of Illinois elsewhere in any proceeding other than this proceeding, or a proceeding brought to enforce the Board Order adopting this proposal, and are admissible in there proceedings only if the terms of settlement agreed to by the parties are approved in all their aspects by the Board without change or modification of any kind, degree, or nature and without rejection of any stipulation, condition, or provision.